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## The Week.

ON Wednesday week as noticeable a thing as occurred in the Senate was a remarkable speech by Mr. Sprague, who denounced many woes on the country on account of the immoral character of the people, expressed great fear that Grant would turn out but badly, and finally ended by giving "an interesting biographical sketch of himself," the *Associated Press* says. There have been some attempts made to give to this utterance a deep political significance, and rumor said that Mr. Sprague and Mr. Fowler had gone over to the Democrats. The cause of the performance was probably not so far to seek, however. On to-day week, Senator Rice introduced a bill to enforce the Fourteenth Amendment and to regulate affairs in Georgia. It seems likely that Senator Edmunds' bill on the same subject may pass; the Reconstruction Committee of the House is understood to be in favor of it, but there is a report current that a good half of the latest troubles in Georgia are due not more to malcontent Democrats than to Republican politicians who have their own reasons for desiring that the State may be remanded to provisional government. This story may or may not be true; but we should hesitate to pronounce it probably false; Governor Bullock's message submitting the new amendment to the Legislature was admirably conceived if what he wished was to cause the rejection of that provision. But we suppose that there will be provisional government again in Georgia, or rather military government—though for the matter of that the two things are nearly one. On the same day Mr. Sprague was busy again with his bill authorizing a "Council of Finance," to lend money at interest on good security whenever the gold in the Treasury exceeds \$75,000,000. He predicted the happiest results to American industry if this bill should become a law. On Friday the supplementary currency bill was discussed, and at the end of the day an adjournment till Monday took place. On that day the principal business of importance was the Senate's refusal to agree to the House's reiterated demand for a repeal of the Tenure-of-Office Act; it appointed as a committee of conference Mr. Trumbull, Mr. Edmunds, and Mr. Grimes—two enemies of repeal and one friend.

In the House on Wednesday week, General Paine, who is a Republican of the extreme sort, introduced a bill which provides that an unreconstructed Southerner who, being ineligible to an office, does not take himself out of it, and every official, civil or military, who, having

the power to remove such Southerner, does not do it, shall be held to be guilty of a misdemeanor and shall be punishable by a fine not exceeding \$5,000 and not less than \$500 and by imprisonment for not less than sixty days and not more than five years. What is to be done with people who, knowing the formerly disloyal character of the office-holders, do not go with information to the removing power, General Paine does not tell us, though of course he knows. In justice to the soldiers and civilians who will be in danger of jail and of being mulcted when the bill is enacted, there ought to be some provision made in it for the punishment—with death, say—of the inhabitants of the county in which the offenders are resident, and who fail to come forward as secret witnesses. But Mr. Paine's bill will not pass, we imagine.

On the same day Mr. Butler reported a bill to put Mississippi through the reconstruction process, and it is altogether likely that, as the President the other day said, we shall see Mississippi within the Union before next February. There is to be a convention, of course, and a new constitution is to be ratified. On the following day the case of Georgia was discussed, but the Tenure-of-Office Bill prevented any exhaustive debate. On Friday Mr. Banks with a resolution of sympathy for Cuba began the day; and next came the report of the Committee on Elections to the effect that Mr. Covode has the *prima facie* evidence in his favor, and that the seat which he claims in his contest should be allowed him pending the inquiry. This is the beginning of what the Democratic papers charge is going to be an unscrupulous foisting of the Republican claimants into all the contested seats. Finally the Tenure-of-Office Act came up for brief discussion, and the House, 99 to 70—the latter all Republicans—refused to pass the modified bill. On Monday Mr. Bingham offered a resolution which was adopted, and which charges ex-President Johnson with having used his last few moments of power in ordering the issue of \$2,400,000 worth of bonds, \$1,400,000 of which were to be paid to the Central Pacific Railroad for a road which, as it now seems to appear, was never finished as the law demands. It will be remembered that it was one of Grant's very first acts as President to remove some of Johnson's railroad commissioners and inspectors. On Tuesday, by a vote of 106 to 60, the House refused to recede from its rejection of the Senate's Tenure-of-Office bill.

The indications now are that the Senate will be defeated, and that the law will be expunged. That would certainly be the result if attention were paid to the wishes of the people outside of Washington. The President is said to have given his assent to the modified form of the present law by means of which Mr. Trumbull, Mr. Edmunds, and their friends hope to escape the necessity of repeal; but nobody knows how much of truth there may be in this report, and the probabilities are that there is much more falsehood than truth in it. Mr. Morton, in his speech on the modified bill, declared that "the proposed enactment contained nothing of consequence, and expressed great satisfaction with it; for all that, the President cannot, under its provisions, remove an office-holder while the Senate is in session except by and with the advice and consent of that body: and if he suspends an office-holder during the recess, the Senate after thirty days of the new session are passed may, by vote, affirm its refusal to consent to the suspension. It is true, the suspended officer whose place the Senate thus gives back to him is not to step into it till the end of the session. So, then, the President may let the man he has suspended resume his office on the day that the session closes and then at once suspend him again. In this bill the Senate seems to give up

much, and no doubt it does give up something. Nevertheless, practically, it thus would still keep in its own hands the appointment and removal of all officers, and the President would have to do a great deal of "truck and dick" either to get into office the men that he thinks should be there, or to get out the men that he believes should not. The members of the House whose interests in this matter are not coincident with those of the Senators, are fighting Grant's battle, and the Republicans who are for repeal are aided by the Democrats, or the Senate's modified bill would have already been enacted.

About the "investigation" into the "corruption of the seven senators" conducted by General Butler last summer we expressed our opinion freely at the time. The investigation in indecency and absurdity was only equalled by the "report," in which it was mentioned, as one of the grounds for suspecting Trumbull, Fessenden & Co. of having been bought up by "the greatest criminal of the age," that not a particle of evidence against them had been discovered, the inference being thus suggested, with truly Butlerite impudence and humor, that the cunning rascals had successfully covered up their tracks. It leaked out, however, that some evidence *had* been discovered which did seriously implicate certain senators who voted *for* conviction; but this was disposed of by suggesting that the wicked fellows on the other side had "put it up," as they say in the police-courts, in order to bring the patriotic Wade men to shame. In the course of Butler's rummagings amongst the telegrams which he seized and was allowed to examine privately (another of the impeachment scandals), he doubtless lighted on a good many which afford a man like him plenty of means of annoying his enemies. There are very few whose private correspondence will bear laying before the public, particularly with Butler's gloss and commentary.

He is accordingly now said to be keeping many members of the House of Representatives in a state of abject terror by obscure allusions to what he might tell about them if he chose. A Washington correspondent of the *Cincinnati Gazette*, whom we know to be a trustworthy writer, recently explained the whole matter in a letter to that journal, throwing some very curious light on the influences by which legislation in the House is moulded. According to him, Butler has been bitterly disappointed, as might have been expected, at not getting the chairmanship of the Committee of Ways and Means—the care of the black man in the Reconstruction Committee being, in his opinion, a very poor substitute for the duty of doctoring the tariff and "reporting" against the bondholders. He has accordingly vowed vengeance against Speaker Blaine, and looks at Mr. Schenck with a hungry eye. In the row last week over the omission made in the engrossing of the Appropriation Bill, he gave Mr. Schenck to understand that he could, if provoked, tell terrible things about him, alluding to the barrel of telegrams; and evil-disposed persons at Washington are daily hoping that matters may come to a crisis, and the two foes be induced to make a clean breast of it. We do not suppose Butler has anything to tell which in the hands of any other man would frighten anybody; but he evidently frightened Mr. Schenck, who dropped out of the fray in rather a pusillanimous manner. There is, by the bye, something like poetic justice in having the barrel of telegrams used against those who, like Mr. Schenck, helped to spread the impression that any senator who refused to convict Andrew Johnson failed in his duty, and telegraphed all over the country for prayer-meetings, private letters and public meetings in aid of "the eleventh article." We do not like to have the great trial forgotten, and mean that, as far as our small means go, it shall not be forgotten, because it furnishes an excellent illustration of what comes of letting the "men inside politics" have full swing. The party on that occasion completely lost its head, and joined with the worst men in politics in reviling the best; and the result has been the introduction into political life of a new element of corruption and degradation—and there were enough such elements in it already. To vote and speak with the consciousness that an Old Bailey lawyer has his eye on them, has been examining their private correspondence, and will, if they vex him, do what

ever occurs to him as likely to make them seem infamous, must be a new sensation for the legislators of the House, and we wish them joy of it. General Butler is the creature of the majority; they put him in his present position, and when he begins his cudgel-play he can hardly hit amiss.

We believe that if the new Collectors of New York and Philadelphia are willing to try the competitive and probationary system when making their appointments, they will not only have no difficulty in getting the President's permission to try it, but have his hearty approval in doing so. By trying it, too, they would have a chance not only of rendering the State much service, but of saving themselves an immensity of trouble. Apropos of this subject, or at least one nearly related to it, the *Sun* and the *Evening Post* have been having a discussion about the suitableness of "politicians" for Government offices, the *Sun* insisting that the *Post's* objection to these gentlemen as public servants is too "theoretic" and "transcendental" for practical life, that the Government cannot be carried on without "politicians," and that the roguery and incapacity so constantly laid to their charge "find their counterpart in trade and commerce." The fact is that the controversy is here in part one about words. Politicians you must have in the conduct of any government, of course, but there are all kinds of politicians. The *Post's* position, we presume, is that the "politicians" who have grown up since Jackson established the spoils system are not only not fit to carry on a government, but not fit for any employment requiring either industry, honesty, or capacity. Washington was a politician, and so was Jefferson, and so was Madison, but they were not the kind of politicians produced in our day. The old breed has carried the country along tolerably well till now, but it is rapidly disappearing, and where the new breed will land us anybody can guess who consults the reports of Congressional committees or the heads of Departments.

It is true that the rogueries of politicians find a counterpart in trade and commerce, but it is in that portion of the trade and commerce of the country which is carried on by fraudulent bankrupts and "confidence men." The operations of these gentlemen are brought speedily to a close by the exhaustion of their supplies and of public credulity, but if they had the nation to keep them in funds they would carry on business just as successfully as the politicians carry on the government instead of going to the State prison. Society could not hold together if trade and commerce generally were conducted as the government is conducted, and the government is kept going in spite of the politicians by the patience, honesty, and hard work of the people. The *Post's* doctrine, that there can be no reform till the present tribe of office-holders and seekers are thrown out of the business and their places filled by men trained in the ordinary morality and ordinary habits of American life, we believe to be strikingly true, and its truth is becoming more glaring every day. The theory of the *Sun* that the men who now run after government employment have any special aptitude for government work, is one of those bits of imposture from which the country is daily suffering more and more. They have no aptitude for any useful form of human labor, and the sole reason for their seeking office in most cases is their rejection in every field of industry in which character and ability are indispensable. The great duty of every reformer now is to get the public to realize how ignorant and dishonest and how incompetent they are.

There is a movement on foot in this city in favor of having the reading-room of the Mercantile Library, as well as any other reading-rooms that are available, open on Sunday. The question which this raises is an old one and has been much discussed, and there is little that is new to be said on it. The main opposition to the proposal, of course, comes from those who fear the disappearance of the "Sabbath" as a day ostensibly devoted to religious worship. We say ostensibly, because the fact is that it is not really devoted to religious worship, or religious thoughts, or exercises by any but a very small minority of the population. The young men whom the opening of the libraries would most affect spend their Sundays in bed or in suburban taverns, and the alternative which the religious world has presented to it with regard



to them is not whether they shall be allowed to choose between reading-rooms and church, but between reading-rooms and sloth or vice. The Young Men's Christian Associations, however, as well as a good many other missionary and reformatory agencies, are gradually though slowly becoming convinced of the fact that all kinds of refining and cultivating influences increase people's susceptibility to religious influences, and that a man who even reads newspapers on Sunday is, in nine cases out of ten, a far more hopeful object of the missionary's teaching than the man who spends it loafing or drinking. We doubt if there is any lot more pitiable, and on Sunday especially, than that of young clerks in New York, and there is no class for which society does less. They are packed three in a room in wretched boarding-houses, and for their amusement, recreation, and company are left pretty much to their own devices.

The financial excesses of Baron Haussmann are still the principal topic of French news. The Minister, M. Rouher, as we mentioned last week, found himself unable to bear up under the attacks of the opposition led by M. Thiers, and to the astonishment of everybody, after a short effort to brazen the matter out, by maintaining that the city having got good value for the money the violation of law was of little consequence, suddenly succumbed, acknowledged the Baron's errors to have been grave, and promised that if the bill of indemnity on which the discussion has arisen were passed, the thing should never happen again. The minority against him on the decision, however, reached the unprecedented number of ninety-seven, which was, of course, equivalent to a heavy defeat. It was the opinion of some of the shrewdest of the Liberals that if this force could have been kept together, and the attack followed up unrelentingly, M. Rouher would have resigned, and the resignation of the Minister under an adverse vote of the Chamber would, of course, have been equivalent to the re-establishment of parliamentary government. He, however, tried his luck once more by a private canvass of the members, in which he made such strong personal appeals that when the subject came up for debate again he succeeded in reducing the minority to sixty-nine; which seemed to give him relief. One of the strongest arguments he is said to have used privately with the members was, that if he resigned the Emperor would probably put a very reactionary man in his place—such as Persigny. The largeness of the minority, even at the lowest, is said to have increased the Emperor's perplexity; of course it strengthens the hopes of the Liberals. One of the good signs of the times is the sudden and arbitrary release and delivery to the publisher of the Duke d'Aumale's "History of the House of Condé," the sheets of which were seized by Persigny six years ago, when on the point of publication, without assigning any reason. The work contained nothing bearing on contemporary politics, and in fact did not come down beyond the beginning of the seventeenth century. The supposed reason was, M. Persigny's dislike to having an Orleans talked of or admired. Permission to sue the Duke or his agents in the courts was steadily refused by the Council of State; but wiser counsels now prevail, and though no compensation for the loss inflicted on him will be made to the publisher, the restoration of his property indicates a better state of mind in what is called "the highest quarter."

The impossibility of prosecuting a public functionary for any act he may commit, however wrongful, from the ministry of the interior down to the policeman, without the permission of the Council of State, must, of course, render all constitutional rights in France a mockery and delusion. All liberty in every country rests on the power of the citizen to bring the officers of the government in court to answer for their acts. If he cannot do this, his other privileges are of little value, and yet this fact has never been recognized by any régime in France. It has always seemed to French legislators—under Louis Philippe and the Republic as well as under Louis Napoleon—that if everybody who pleased were allowed to prosecute officers of the law, anarchy would ensue. The Liberals are beginning to recognize the absurdity of this idea, and M. Laboulaye, who is a candidate for election from the Department of the Seine and Oise, lays great stress on it in his address to the electors. "Above all things," he says, "we

must have equality before the law, and do away with the monstrous privilege which now exempts public functionaries from its jurisdiction. On the day when every agent of authority, from the prefect to the garde champêtre, shall be made responsible before the tribunals for a violation of the law, we shall be in possession of that indispensable liberty which every civilized country should have." Grant's phrase in his inaugural address—"future commanding influence among the nations"—has been mistranslated by the French papers "influence prépondérante," and the result is some very amusing forebodings. The *Débats* sees in this phrase "the germ of many future wars," and utters a piteous lament over the French interference in Mexico which taught the Americans the disagreeable trick, which they are clearly going to practise, of meddling in other people's business. The *Moniteur* says, the "prépondérance" of which Grant speaks "may be big with storms," but hopes he will be more prudent than his words seem to indicate.

The chances seem to be, if we may credit the latest news from Spain, that the Duke de Montpensier will, after all, get the crown. The members of the old Provisional Government, and particularly Prim and Serrano, appear to have come out openly in his favor, while declaring their readiness to submit to the decision of the Cortes; but the decision of the Cortes had probably been ascertained before this declaration was made. Very little is known of the Duke. He has led a very retired life as a country gentleman for many years, but both he and his wife are known to have been disgusted with the court and its doings, and the Duchess's plain-speaking on the subject at last led to their exile the last year. Like all the other Orleans princes, he is believed to be a sensible man, and to have profited not only by the bitter experiences of his father and grandfather, but by that of his brothers. In view of the feelings of the French Emperor towards the Orleans family, however, the Duke's election to the throne can hardly fail to be looked on in Paris as a bit of defiance; it is absurd, perhaps, in these days of sovereigns "by the national will," that it should be so, but when the refusal of the Belgian parliament to allow Belgian railroad companies to sell their lines to foreigners was treated as an insult to France, it is difficult to believe that the French press will allow the Spaniards the right of choosing their own king when their choice falls on an enemy of the house of Bonaparte. The news from Cuba continues to be about as valuable as ever. The kind of incidents reported in detail are skirmishes in which one or two men are wounded, and small street riots. The rest consists simply of rumors of marches and "battles" in the interior, and prophecies of terrible things to come, based on the prophets' high opinion of the chief of the insurrection, both personally and professionally.

The Irish Church Bill has been read a second time and passed by a large majority, which decides its fate in the House of Commons. That the House of Lords should pass it without a struggle seems very unlikely, and yet it is also unlikely that it will venture to take ground on so important a question against the Lower House and the public. The debates over the bill in the House have not been very weighty or interesting, the work of discussion having been done and very thoroughly done out of doors, and everybody's mind being already made up. The main ground of the Tories is, that to take Church property is confiscation, a point which is now hardly worth arguing, and the mere statement of which is almost ridiculous in what is known as a "modern" community—that is, a community such as all civilized communities are or are becoming—in which the rationalistic or realistic treatment of political questions has become the fashion. The measure, as submitted by Mr. Gladstone, seems on the whole well received by the Catholic clergy. One of them, the Bishop of Derry, has written a temperate letter, arguing against the withdrawal of the grant to Maynooth, and the refusal to disturb Trinity College, Dublin, in its possessions. The Trinity College property is, however, mostly landed property, held for nearly three hundred years, and its diversion to some other purpose now could only be justified by the allegation that it is devoted to unworthy purposes or was wanted more for something else—an allegation which nobody makes.

## THE DANISH MUDDLE

MR. SEWARD opened negotiations with the Danish Minister in Washington, General Raasloff, in January, 1865, for the purchase of St. Thomas, the want of a naval station in the West Indies having been severely felt by the Government during the war. The idea, if it did not originate with Mr. Lincoln, was approved and encouraged by him. The Danish Minister was taken by surprise when the subject was first broached to him, and when he communicated the proposition to his Government it was by no means favorably received. The King was opposed to it; the Danish people, it was well known, would receive it very unfavorably, and all the leading Danish statesmen were opposed to it for reasons partly of sentiment, partly of policy. The kingdom had been much reduced in size and resources as a result of the war with Prussia, and a further diminution of territory would therefore bear the appearance of increasing weakness and humiliation, and the King had a strong personal repugnance to casting off any body of subjects, however small, who were sincerely attached to his rule. Moreover, it was feared that the cession of Danish territory in the West Indies to the United States would give offence to the two great maritime powers, France and England, and their displeasure Denmark could ill afford to incur.

The negotiations were, nevertheless, carried on at greater or less intervals during nearly three years; our Government pressing for the purchase of the island, the Danish Government holding off, excusing itself, seizing every occasion of delay, and giving every indication short of a point blank refusal, of its unwillingness to sell. Mr. Seward's persistence was at last, however, crowned with success, and the Islands of St. John and St. Thomas were ceded to the United States for \$7,500,000 by a treaty signed at Copenhagen in October, 1867, conditional, however, on the assent of the inhabitants to the transfer, to be taken by vote. The vote was taken, and was nearly unanimously favorable. The value of the islands to the United States has been nowhere seriously contested, but the Senate failed to ratify the treaty and the House to vote the money. The time within which the ratification was to take place expired February 24, 1868; Mr. Seward then obtained an extension of the time, and this extension expires in October of this year. In the meantime Denmark has publicly proclaimed the transfer of the islands. The Rigsrad has ratified the treaty, the inhabitants have formally transferred themselves to the United States, and it is the United States which has all along sought the transfer; nevertheless, the United States now refuse to accept the delivery of their purchase. Was there ever a stranger transaction, and can anything be said in defence of the conduct of the Senate and House of Representatives?

The greater portion of the loss and embarrassment of course falls on the Danes. They are in that stage of decayed gentility in which the smallest slight entails a great deal of humiliation, and in which humiliation prepares the way for further material decline. Morally, the position of Denmark has throughout the whole affair been perfect. She has shown no disposition to sell her territory; before finally agreeing to do so, she firmly insisted that the formal consent of the inhabitants to the transfer should be obtained—our democratic minister doing all he could to obtain the inhabitants without their consent, and treating the feelings of the people as of no account whatever; and she has stood ready ever since the treaty was signed, and now stands ready, to execute it loyally. But her situation is, nevertheless, well-nigh intolerable.

By way of bringing the facts of the case before the public in a taking form, the Danish agents in this country have employed Mr. James Parton to write a pamphlet which now lies before us, containing a history of the entire transaction, followed by some comments of Mr. Parton's own on the law and morality of it. For the narrative portion of the work they could not have made a better choice, for a better popularizer of long and complicated stories than Mr. Parton probably does not exist. There is hardly anything he would not make readable. But they should, we beg leave to say, have laid strict injunctions on him not to make inferences from, or in any way philosophize on, his facts. Whenever he attempts work of this kind, and he has of late attempted it frequently, he not only comes to grief, but brings to grief that large body of simple and unwary people through-

out the country whose confidence he has won by his power as a storyteller.

The mere history of the negotiations between Mr. Seward and the Danish Government is as powerful an argument for the ratification treaty as Mr. Parton is competent to make; the summing up, and the application to the facts of the great principles of morals and of international law, should have been committed to more skilful hands. For instance, Mr. Parton shows frequently in the course of the narrative that Denmark was unwilling to sell, and caused it to be distinctly understood that it was money only that would tempt her to do so, and that this money was in fact to compensate her in part for the risk of offending her allies, France and England; that General Raasloff gave Mr. Seward to understand at the outset that "the preliminary question for Denmark was: Will the United States give us money *enough* to compensate us for the injury which the cession of the islands will certainly do us—the loss of prestige, the loss of property, the weakening of ties which bind us in alliance with powerful neighbors? Finally, that Denmark had, as all nations have, and as all individuals have, objects, desires, dreams, which the possession of a certain sum of money would enable her, as she hoped, to realize. It was, therefore, essential to her, as a preliminary, to have some idea of the amount of pecuniary advantage which she would derive from a transfer of her West India possessions." Mr. Parton himself points out, too, that seven millions and a half in gold is to Denmark what three hundred million dollars in currency would be to the United States—in other words nearly a year's revenue.

The cause of Denmark is not helped, therefore, but hindered by offering us, as one of the inferences to be drawn from the facts of the case, that in selling the islands to the United States "Denmark deliberately preferred a closer alliance with the United States to a closer alliance with England and France." There is not a particle of foundation for this assumption in Mr. Parton's own narrative, or in fact anywhere else. The relations of the Kingdom with the United States were perfectly friendly and cordial when the negotiations began; during the negotiation no pretence was made by either party that there was a sentimental side to the transaction; it was conducted throughout as one of dollars and cents, and as one of dollars and cents it ought to be fulfilled. It ought not to be necessary for the Danish Government to employ a popular writer to tell the American public, as Mr. Parton does, that they ought to pay what their minister promised they would pay, for value received, because Denmark is a constitutional country; because she abolished the slave trade in 1792 and slavery in 1848, and takes excellent care of her black population; and because the King has performed, to use Mr. Parton's words, "the very difficult task of rearing a large family so well that his children reflect honor upon their race and country wherever they go." It is well-nigh disgusting to hear such considerations urged on a great people to induce them to pay what the writer considers a lawful debt. We can hardly wonder at it, however, when one of Mr. Parton's idols whom he eulogizes in this pamphlet as "an efficient member"—"than whom no man in Congress would go farther in fulfilling the conditions of a just compact between the United States and a foreign power"—deliberately made and defended in 1867 a proposition to cheat the foreign creditors of the United States, on the ground that they had not lent their money through "affection"—"with the view of aiding us in our great struggle," but with "an eye to the proceeds." Of course, on this ground, Denmark is entitled to nothing, unless she can show that she sold her islands out of love, and that the King is a good man, and has brought up his family respectably. That a foreign power should think it advisable to address such arguments to the American people, on such a subject, shows the extent to which sloppy sentimentality is supposed to regulate our mode of dealing with some of our gravest concerns.

There is only one question in this matter which needs an answer; only one question that an honorable people should permit to be argued before it, and that is, Do we owe Denmark seven millions and a half for the Islands of St. John and St. Thomas? The case is, in some respects, very like the case of the bondholders who, a year ago, were threatened with payment in paper dollars, according "to the letter of



the law," but then it is weaker. The representations by which the bondholders were led to lend the money, and to expect repayment in coin, were made openly through a period extending over four years. Everybody, in and out of Congress, was cognizant of them; but while the money was needed and was coming in, no one raised his voice in protest and explanation. The result was, no matter what the letter of the law might be, a moral obligation of the strongest kind on the part of the whole of the community to make good the promises of the authorized agents of the Government. The negotiations with Denmark were, on the other hand, conducted with the greatest secrecy, for the purpose, as Mr. Seward said, of preventing the interference of France and England with the bargain. The result was, however, that not only France and England, but Congress and the people, were kept in ignorance of the transaction till it was completed. Mr. Seward, to be sure, was the authorized agent of the nation, and his representations, and the arguments by which the purchase of Alaska was defended and approved in the Senate, furnished the Danish Government with plenty of excuse for believing that there was no danger that the bargain would not be carried out. It cannot then be said to the Senate or the country, "You knew during two whole years that Mr. Seward was engaged in the negotiation of this treaty, and why did you not warn Denmark against trusting him?"

Mr. Parton quotes some passages from the text-books on international law, which he imagines support a theory of his own, that the Senate is morally bound to ratify Mr. Seward's treaties, ratification never being refused to a Minister "with full powers" unless where he has departed from his instructions. No Minister of the United States is, however, a Minister with "full powers" in the sense in which that phrase is used in the text-books, inasmuch as his work has always to be submitted for approval to another power than the one which instructed him. The President may give instructions of which the Senate knows nothing, and the Minister may adhere to them to the letter, and yet the Senate feel bound to disapprove. For the Senate to give its approval as a matter of course might be an improvement on the present system, but the present system is the law of the land, and was established after grave consideration. Nothing concerning the origin of the Constitution is more certain than that it was intended by its founders that the Senate should form an active part of the treaty-making power, and that it was believed by them that the restriction of this power to a President alone, elected for four years, would be in the highest degree dangerous. Hamilton in the *Federalist* in fact disposes completely of the analogy between the American government and monarchical governments, in the matter of treaty-making, which Mr. Parton fancies he has discovered. There is none, and there ought not to be any such analogy. The Senate would be guilty of a grave dereliction of duty if it ever regarded its assent to a treaty as a matter of form merely. Every government which negotiates with the United States is or ought to be perfectly familiar with the constitutional limitations to the "full powers" of all American negotiators, and take note of them in carrying on the negotiations; and although we admit that in this instance the non-ratification of the treaty by the Senate would be a cause of great hardship to Denmark, and some discredit to the United States, we think the Senate has by its delay done the state some service. If there be any species of treaty which enterprising Presidents and Secretaries of State need to be warned not to make lightly it is treaties for the purchase of new territory. A more monstrous doctrine than that which claims for any one man or pair of men the right secretly and suddenly to saddle the people of the United States with fresh territorial acquisitions, inhabited they know not by whom, to be governed they know not how, and to cost they know not how much, has probably never been propounded. We have evidently entered once more on a period of annexation, and our new annexations on the Southern side at least are pretty sure to be semi-civilized additions, whose absorption may exercise a serious influence on our polity. No annexation, therefore, ought to be made till the public has had an ample opportunity to discuss it, and express its opinion on it. We do not want to wake up in the morning and find that the Secretary of State has over night bought us two or three millions of fellow-citizens to be paid for out of our earnings, and provided work for forty or fifty thousand soldiers;

and yet if the Senate is bound to ratify all the Secretary's doings this is what we shall see. The temporary failure—we hope it is only temporary—of the Danish purchase, will therefore act as a thorough, a needed warning to our enterprising statesmen, both at home and abroad. It will not be amiss, too, for foreign powers to take careful note of the Senate's place in the Government, and to satisfy themselves as to the relations of the President with the majority of that body before beginning bargains with him. The position of the House with regard to the voting of the money is totally different. A treaty concluded by the Senate and President legally as well as morally binds the nation at large; and to refuse to pay money thus promised is simple repudiation, nearly as heinous as a refusal to repay borrowed money, all of which was ably and conclusively argued *apropos* of the Alaska purchase, in the *Nation* of April 20th, 1868, by a valued and well-informed correspondent.

#### LATEST PHASE OF THE LABOR TROUBLE

THE spread of combination and the increasing skill in combination which are visible amongst all classes of laborers, and the strong signs which are visible of a tendency amongst the various trades to make common cause against the capitalists, even here, in what is supposed to be the fairy-land of working-men, are gradually convincing people that no political changes will give modern society repose. This is another way of saying that the movement which began in 1776 in this country, and was taken up and continued by the French revolution of 1789, was not a political movement simply, but a social one; that the political reforms which have marked its progress have been welcomed by the working classes rather because they brought with them or seemed to promise radical social changes, and above all a change in the relations of labor to capital, than because the masses in any country share the love of Roman or political "liberty" which brought about the English revolution of 1640, and which Tocqueville in his latest work treats as one of the highest and noblest of earthly objects of adoration. Working-men and women, whether working or not, are in fact, all over the civilized world, trying in a vague and somewhat blind way to get at the fundamental bases of their condition in this life; or, in other words, trying to find out what are the limits which human nature has placed to its amelioration. The working-class meeting in this city last week was a remarkable illustration of their unrest. They will have it that all or nearly all the hardships and inconveniences from which they suffer now are the results of faulty social arrangements, and that if somebody or other would only take his hands off, their lot might and would be indefinitely improved, the good things of life more evenly distributed, and the comforts and exemption from the lower forms of anxiety, now enjoyed only by a very small number, be shared by nearly everybody. A good many of the experiments they are trying have been tried and have failed. Several others do not need to be tried because the certainty of their failure is deducible from existing facts; but there still remains a vast field of unexplored possibility into which they are pushing vigorously, and in which they absolutely refuse to be guided by either historians or philosophers.

A portion, and a very tempting portion of this field is the position of the working-man towards the capitalist. The economical view of these relations we need not here state; nearly everybody is familiar with it. The economists maintain stoutly that "the interests of labor and capital are identical," and that both have to be paid out of the same fund; to which the working-men reply, that the *fact* is, that capitalists, both by combination amongst themselves and the power of resistance which wealth gives them, do endeavor to cut the laborer's share of the fund down to the lowest possible point, and are able, by withholding information from him or positively deceiving him, to deprive him of his just share of the fund even under their economical "law;" and that, however true it may be that both capital and labor are interested in making the results of production as large as possible, it is also true that when labor and capital come to divide the results of production between them, no natural or economic law practically regulates the division, that each tries to get all he can, and that the capitalist's greater knowledge, skill, and

power give him more than his due proportion. The struggle between the holders of these opposing views grows more and more bitter every day, and the laborer's means of asserting his views more and more powerful. The trades are organized into unions. The trades of different countries, as well as of the same country, are making common cause, for the purpose of forcing not only capitalists, but society at large, to accept the working-man's view of the working-man's rights. The working-man has since the overthrow of the Roman Empire risen from the slave into the serf, and from the serf into the free laborer; but he has until now been treated as, in some sense, a servant or hireling. Against this, too, he has revolted with more or less success, and in this country at least is now treated really as what the economists have long affected to consider him, a dealer in labor offering his wares like any other dealer, and entitled to the same amount of consideration.

But he is not content with this either. He refuses to acknowledge that brain labor is of any more value to society than the labor of the hands, and he sees in the greater amount of leisure and greater number of pleasures of the more refined kind enjoyed by brain laborers an unjust discrimination, established by society and not by nature, and against this he is now fighting. But, after all, at the bottom of the whole quarrel lies the question, On what principle, or by what rule, shall the results of production be divided? There are two or three ways proposed of solving this problem. The old one, which may be called the capitalists' way, is to find out in open market, by competition between laborers, the market price of labor, and make that the laborers' share of the profits; but then, capitalists do not abide by this rule themselves; as, if the price of labor thus ascertained does not suit them, they lock up their workshops and wait; and the laborers, in their turn, when they find the price offered for labor by the capitalists does not suit them, leave the workshops and wait, or, in other words, strike. In fact, the rate of wages is now fixed in practice in most countries by a trial of physical endurance, fearfully destructive of property and fearfully productive of bitter feeling. Another plan, and the more modern one, is to make wages, partially at least, bear a certain fixed proportion to profits; and the third is the combination of laborer and capitalist in the same person by means of co-operation. The first of these plans may be said to have failed, and the two last, and especially the last, seem to require an amount of intelligence and self-restraint on the part of the working-men to which they have not yet attained.

One of their best friends, Professor Beesley of London, who has for years been an active supporter of all movements for the improvement of the condition of the laboring classes, has recently delivered an address to a meeting of working-men in England, which has been republished in the *Fortnightly Review*, in which he took strong ground against co-operation, maintained that it had failed, inasmuch as all existing co-operative associations had, whenever they succeeded, become themselves employers of labor; that the hiring of labor by capital at fixed wages was an immutable relation, from which there was no escaping; that the natural organization of industry is like the military organization, and requires for success the working of many hands under a single head; and that, therefore, there is nothing more unreasonable in the demand of trades unions that all in the same trade should be paid the same wages, than in the custom which prevails in the army of paying all soldiers in the same regiment the same wages—a custom of which nobody ever questions the justice. The regiment, he maintains, is and must remain the type and model of the factory and workshop; that the growth of intelligence amongst the workmen will no more do away with the necessity of secrecy, discipline, and single headship than the growth of intelligence amongst soldiers does away with this necessity in the army. The citizens who served under Grant and Sherman, he says, had to obey orders without knowing why they were given, just as much as the most ignorant peasants who serve in any European army.

For all improvement in the working-man's condition he looks to the organized action of trades unions on capitalists, and the growth among capitalists, partly under this influence and partly under the general progress of society, of a stronger feeling of responsibility to

society, and a stronger feeling of trusteeship in using their money. He says the working classes must have certainty in their lives—that this is of more importance to them than anything else, and this they cannot have as long as capitalists use them as mere counters in the game of speculation. In other words, he relies partly on coercion and partly on moral suasion to make the capitalists better men, and on the capitalist's becoming better men he relies for the improvement in the working-man's condition. But his great reason for thinking that co-operation will not succeed is, that he does not believe working-men will ever be wise enough and good enough to make it work. If, however, we have to look to somebody's moral and mental improvement for the final and equitable adjustment of the relations between labor and capital and not wholly to "the laws of political economy," we do not see why we should place any more dependence on the capitalist than on the laborer, or even so much, and do not therefore even see what the value of Professor Beesley's specific is.

Before his lecture appeared in print, curiously enough, a French lady, Madame Clémence Auguste Royer, had taken the field against the moral right of working-men to engage in organized strikes, treating the various trades as what she calls "collectivities," whose first duty is to society, and whose duty to themselves is only secondary. She denies *in toto*, apart from the material objections to it, which are weighty, the moral right of any large body of persons to stop working, or, in other words, of doing their duty to the community, on any pretext whatsoever; and maintains that whatever the natural working of the law of supply and demand fails to do in fixing the rate of wages or regulating the hours of labor must be effected, as most social improvements are, by agitation, by education, and appeals to public opinion and the individual conscience. In other words, she relies in the last resort on the same agency as Professor Beesley, but repudiates *in toto* his intermediate agency of strikes and trades unions; and, singularly enough, accepting the analogy between the military organization and the industrial organization which he uses, she says, "But suppose soldiers were to 'strike' in the presence of the enemy, it would not be called a strike, but desertion or mutiny, and the strikers would be shot. But why this severity? Is not the soldier a free man? Is he not a citizen, like other men? Has he not the same rights? Why, then, may a regiment not refuse to serve until its pay has been raised?" The answer is of course obvious, that "the interests of society require that it should do its duty, and it is therefore forced to do it. And Madame Royer brings the various trades and professions under the same rule, and argues that if the practice of combining against the community to extort more pay, now so common, should continue and grow, its disorganizing effects will be so great that society will, in the interests of civilization, have to take the same high ground against it that it now takes against mutiny in the field or on shipboard. Her article is on the whole a powerful and suggestive presentation of an original view of the subject.

#### THE WAR AGAINST ALCOHOL.

For forty years the temperance agitation has been going on in this country and in England, and the end seems almost as far off as ever. Newspapers have discussed it, lecturers have made their living out of it, and philosophers have settled it. But every year it turns out that the conclusions reached during the year before are not satisfactory to all concerned, and accordingly every year sees some new scheme foisted upon the statute-books. Still, there are some signs that a conclusion is one day or other to be arrived at. In the early days of the agitation, the so-called friends of temperance insisted on one thing only, and that was total abstinence. They had no idea in the beginning of controlling legislation; their intention was to effect a moral reform. They had discovered by a process satisfactory to themselves that the drinking of fermented liquors was *per se* sinful, and that total abstinence was a duty. The church joined forces with the teetotalers. The cause of abstinence was so strengthened by moral and numerical support that a new move was made. Legislation was determined upon. Drinking, it was said, must be prohibited by law. This brought the subject out of the moral into the political arena; and if only the character of the discussion had changed as well as the form



in which it was to be carried on, the problems which surround the question might before this time have received some intelligent solution. But the character of the discussion did not change. The arguments which had been found so effective in pulpit and lyceum were thought to be well adapted to the intelligence of political bodies. Prohibition was insisted on as a moral necessity; and all who opposed it were denounced as men in league with the retail liquor-dealers and through them with Satan. As most people are agreed that the solution of political questions depends on considerations connected with the greatest good of the greatest number, and not upon any inner light, it was evident that sooner or later the high abstract side of the question must be abandoned, and the subject be approached in a different way.

There are indications that the Prohibition party are at length beginning to see this, for they have lately shifted their ground greatly. Those who have no moral ideas are given to understand that prohibition is advocated for the sake of the *security of society* through the suppression of crime. The security of society, say the prohibitionists, demands that alcohol, a substance the noxious qualities of which experience proves, should not be left "lying around loose." If it finds its way to the human stomach, pauperism, theft, and murder are the consequences; it is the business of society, therefore, to see that it shall not find its way to the human stomach. This reasoning is perfectly utilitarian, therefore it is legitimate. It is not proposed any longer to prevent the drinking of intoxicating beverages on the ground that all potation is sinful, but to prevent it as we do the ravages of carnivorous beasts or the poison of venomous reptiles. It is hardly necessary for us to go into a refutation of this argument. What we desire to call attention to here is the use of the style of reasoning by the prohibitionists. That they find it necessary to abandon their early dogmatic method and resort to this seems to show that they begin to feel the real weakness of their position. Moralists who wish to be politicians must use politician's tools.

The kind of treatment which the temperance question received, and the character of the people who manage it, are well illustrated by the history of the question in Massachusetts. The Republicans of that State are at present engaged in enacting their biennial prohibitory law to take the place of the license law of the last legislature. Previous to the election of last year the statutes contained a law which in terms absolutely forbade, but in fact universally permitted, the unrestricted sale of intoxicating drinks. This fact became at length so notorious that the prohibitionists determined to put an end to the scandal it occasioned, and as the difficulty was supposed to be caused by the negligence of the local police, called into existence a new force, the "State Constabulary," responsible to the central authority and charged primarily, in the words of the act of 1865, with the duty of using "their utmost endeavors to repress and prevent crime by the suppression of liquor-shops, gambling places, and houses of ill-fame." So well did they perform their duty that the voters of the State became for the first time aware that prohibition could be enforced; and so forcibly did the fact strike them, that they forthwith forsook the Republican party, united with the Democrats, and elected a legislature pledged to pass a license law. The license law of 1868 was accordingly passed; but the friends of license, for reasons best known to themselves, made it of such a character that it proved to be no more and no less than an empty form of words. The licensing statute was no more enforced than the prohibitory statute had been. Unrestricted sale, and according to the temperance people unrestricted drunkenness, became the order of the day.

The natural result followed; a pledged legislature was again elected, this time a prohibitory one. This legislature is now sitting, and the sober-minded people of the State confidently anticipate that the prohibitory law which it is about to enact will cause the election of a legislature pledged to license next year. Indeed, a periodical revolution of feeling on this subject has come to be regarded in the light of a natural phenomenon. House-cleaning, the changes of the season, and a license or prohibitory bill are among the things which every Massachusetts householder annually anticipates. And as we have already hinted, the last of the three gives him the least trouble of all; because, except in very hard years, the last thing in the world

which these statutes affect is the sale of liquors. For a short time the State Police did, as we have said, throw obstacles in the way of the wicked; but in ordinary times public bars or licensed victuallers or licensed inn-keepers or retail dealers furnish whatever is required of them. This solemn farce has been going on for years, each year bringing politics and law into greater and greater contempt.

Now it is certainly a great pity that this state of things should continue indefinitely. The problem which Massachusetts annually blunders over is one in the solution of which the whole English-speaking race takes a profound interest. No intelligent man denies that the evils caused by drink are among the most enormous with which our modern civilization has to contend; that the amount of beggary, theft, murder, and ruin the dram-shops breed is enough to make the most enthusiastic believer in the progress of the age shudder with doubt; or that any community which in serious earnest sets about discovering a remedy for the evil will confer a lasting benefit on mankind. There is good reason, too, why Massachusetts should be regarded by the rest of the States as the best field for experiment in this matter; for in none has there been a more animated discussion of it, and in none have so many experiments been already tried. That moral and intellectual pre-eminence of hers, also, the praises of which have been sounded so long and so industriously, have rather inclined people living in less favored parts of the country to look upon Massachusetts as the most fit State to give them a lesson in temperance legislation.

Massachusetts, however, has after all thrown little light on the subject, and her failure has been mainly owing to the supineness of the intelligent classes. They have been accustomed to laugh at the whole business, to sneer at the prohibitionists as visionaries, and to chuckle over the license agitation as mere humbug. The leaders in the battle hitherto have been clergymen, women, and moral agitators on one side, and liquor-venders on the other. The result has been that the "men inside politics" have got hold of the question, and nice work they have made of it. Secret organizations, caucuses, conventions, and pledges have had their legitimate result in laws passed that they may be broken, laws made for the purpose of gratifying one sentiment and allowed to stand unenforced to conciliate another. The prohibitionist politicians know that in half the State their measures cannot be carried into effect without bringing other politicians into place; therefore they frame a law with the understanding that it shall be broken. The license men, shrewdly suspecting that their constituents in electing them rather sought a means of giving vent to their anger than of getting a good law passed, pass anything which occurs to them, without any more earnest intention of enforcement than the prohibitionists had before them. The politician's view of a law is, that it shall not spoil his chances of re-election; and laws they invariably frame with this end in view, unless the community is in earnest. The people in Massachusetts have gusts of passion on this subject, but a serious determination they have for a long time lacked. The great interests of national politics have drawn their attention from considerations of internal reform, and these questions have therefore fallen into the hands of those least able to deal with them—the professional managers. The most signal proof of this was given by the awakening of public interest when for the first time a man of high political standing engaged in the contest; we mean, of course, when Governor Andrew appeared as counsel for the remonstrants against the old prohibitory law. It seemed for a short time then as if the moment had really come when intelligent legislation might be expected; but those who thought so counted without their host; the license legislature of last year ousted every attempt made by the real friends of temperance to create an efficient board of license, and in the end made the Commissioners elective—a proceeding which, as the office is really quite as judicial in its nature as any judgeship in the State, was a singular anomaly to be permitted by a community which prides itself on the non-political character of its judiciary. Massachusetts will confer a real boon on the rest of the country whenever she will make up her mind to put an end to this child's play, and, after discovering what is really wanted, will legislate with a view of obtaining it.

Judging by the light of her failures, it would seem as if two or

three points were pretty clearly proved, and the first of these is that no prohibitory law can be enforced. The prohibitionists in 1865 took every precaution in their power—what could be stronger than creating a special police force?—and actually did, for a very short time, make the sellers and buyers of liquor uncomfortable. But the result was, the law was swept away like chaff. The great fact that man has natural appetites would not be ignored. It may be considered proved that prohibition is impossible. If the prohibitionists were practical men and women they would, on discovering this, do one of two things, either give up their attempt altogether and return to moral suasion, or else do their utmost to obtain a really effective license law. Certainly, a stringent license law would do a great deal for the prevention of crime. But, on the contrary, neither in Massachusetts, nor in England, nor anywhere else, do they show the slightest intention of doing anything of the kind. They still demand the “abolition of sin,” and appear to believe that the next best thing to a prohibitory law which is enforced, is a prohibitory law which is a dead letter. A statute of some sort they must have. On the other hand, the license party might by this time have discovered that a rigid enforcement is their only reliance. A license law which is not enforced is precisely what the prohibitionists want.

#### THE PRESS AND THE ADVERTISERS.

THERE is before the Legislature at Albany what has been called, from the persons supposed to be most interested in having it pass, “the advertisers’ bill.” Its object is to compel publishers of newspapers to declare in each issue the number of copies printed of the preceding issue. If, as is assumed, this enactment would be for the protection of advertisers, there is no reason why it should not include magazines and all other periodical mediums for advertising, about whose actual circulation the same uncertainty exists, and which have similar motives for concealment and misrepresentation. The opinions of the daily press on this subject have not been remarkable for frankness, but, as might have been expected, papers of unquestionably large circulation have paraded their willingness to comply with the proposed regulations; while some whose circulation is by no means commensurate with their reputation, and which depend for their advertising on a traditional prestige (which often clings to the last to a moribund journal), have argued more or less wisely in opposition. And still others, of limited circulation, have sought to impose on the public by taking sides with the *Tribune* and the other supporters of the bill. In short, each party to this discussion has spoken with a view to the probable consequences to itself of the regulation in question, or to some immediate advantage to be gained by appearing to welcome it.

Now the publishers against whom the advertisers ask for protection are divisible into two classes—those who refuse to tell, or at least avoid telling what their circulation is; and those who, either directly or through their agents, magnify it without scruple. Against the former the advertiser already has his remedy in his own hands; he can simply decline to advertise where the necessary information is refused him; and even now we believe that in most cases if he were to present this alternative he would effect his object—perhaps in all cases, under a pledge of confidence. For it must be considered that making public the circulation of a paper affects subscribers as well as advertisers, both preferring to train with the heaviest battalions, and to follow the fashion; the former, also, running a greater risk of losing their investment because, as a rule, required to pay in advance. However much, therefore, the publisher may desire to oblige the advertiser, he cannot afford to do so at the expense of his subscription list, on which, of course, the disposition to advertise depends. This is especially the case with newly-started publications, whose success hinges much more than is commonly imagined on public opinion in regard to their prospects, quite apart from what their merits deserve. In the infinite catalogue of things that might have been, the list of periodicals which would have lived if the public had felt sure of their living occupies no insignificant place. Moreover, the circulation which would induce an advertiser to patronize any given publication might be far too small, if known, to encourage subscriptions. For instance, in the present competition, a magazine which has less than 20,000 subscribers can hardly feel that it has a hold on life; and yet an advertiser who could be assured of reaching 10,000 readers might be very willing to pay the rates demanded for advertising.

Scarcely any newspaper or periodical is uniformly prosperous; and at the times when least so, there is none to which a public announcement of the fact, in figures decreasing from day to day or from week to week,

would not be highly prejudicial and often fatal. Rumor is very efficient in creating a panic, but official information is more demoralizing still. If the *Tribune*, during the period of dissatisfaction in regard to Mr. Greeley’s action towards Jefferson Davis, had been obliged to report each day’s defection of indignant subscribers, no doubt the number would have been greater than it really was. The letters to “stop my paper” would have grown more and more insulting as each subscriber felt himself part of a mob, and could trace the result of throwing his particular brick. But is there any reason why the newspaper business should be subjected to such a contingency, and not every other? The capital and standing and amount of business of a mercantile house are, or may be, matters of pure conjecture to nine-tenths of those who deal with them, who take their paper, and whose fortunes and happiness in this world depend on their ability to pay their notes when due. Yet nobody thinks of procuring a law that every firm shall post in its counting-room or in some public place the number and amount of its daily transactions for the inspection of customers and others, whether friends or rivals and enemies; or shall publish its daily bank balance, or the amount of paper it has out. Yet this is much what the Albany bill requires of publishers, whose receipts are from two sources mainly—subscriptions and advertisements. The value of the latter can be always calculated pretty accurately from known rates; the value of the former, if their number were made known, could be exactly estimated; the cost of paper and printing is also no mystery; and the affairs of the paper would thus be exposed to a scrutiny such as merchants would be the last to submit to.

On the same principle advertisers might have demanded a constant account of the local circulation of newspapers—a consideration of some importance to them; and an ingenious mind could suggest many other modes of relieving them of all the uncertainty and risk, and all the judgment and forethought, which enter into all other business transactions, where the greatest protection that has yet been invented—the so called “Commercial Register”—is held in odium even by those who make use of it, and looked upon as a necessary evil. In their turn the public might ask to be protected against advertisers, who certainly do not unbosom themselves with absolute sincerity, and who as certainly both keep back what their customers ought to know, and assert what they themselves know to be utterly false. They would hardly relish a law compelling them to affix to each advertisement containing representations of goods or other property offered for sale, an affidavit that they had spoken the truth.

But in all we have said we have not meant to shield those dishonest publishers who thrive by inflating their circulation beyond the reality, and so do deceive many into advertising. But the ingenious plan of obliging publishers of newspapers to make and publish a weekly or daily affidavit as to the amount of their circulation, which the *Tribune* and some other journals advocate with so much heat, is, as a protection against fraud, about as valuable as their comparison of the newspaper frauds on advertisers to shopkeepers’ frauds through false weights and measures. The only certain result of compelling publishers to swear to their circulation will be the seduction of the knaves into the crime of perjury. Of honest publishers, advertisers can now obtain the amount of their circulation by asking for it. Dishonest publishers, who lie when asked for it, and permit advertising agents to go about lying on their behalf, will swear to false figures nearly as readily as state them without an oath; and the affidavit will suit them admirably by giving an air of formality and solemnity to assertions which would otherwise be treated as loose or doubtful. A test oath in this case would serve about the same purpose that test oaths usually serve—that of catching the honest men, and furnishing the rogues with an additional means of preying on the public. If the State be under the same obligation to see that advertisers are put in possession of the exact circulation of the journals in which they advertise, as to see that dealers in other commodities use just weights and measures—an idea of which the fallacy must be apparent to anybody who gives it, what the writer who propounded it in the *Tribune* probably did not give it, five minutes’ consideration—the proper remedy for existing frauds is the appointment of state inspectors, to go to the various offices and inspect the books, or take such other evidence as to them may seem desirable. Who would be satisfied with a grocer’s affidavit that his weights and measures were true? If the legislature really wants to meet the difficulty fairly, it will appoint such officers; if it wants simply to furnish the leading blatherskites and knaves of the editorial profession with additional means of puffing their wares and annoying their rivals, it will pass the bill now before it. But if it appoint the inspectors, we warn it that ten thousand dollars a year will not be one cent too large a salary for each officer; because his virtue will be exposed to trials such as the gentlemen who usually get such offices make no



pretence of resisting, and can hardly be expected to resist except under the stimulus of high pay. Even with ten thousand a year, their struggles would be fearful; and we have little doubt the newspaper "ring" would end in out-doing the whiskey ring, and the innocent advertisers find themselves at the end of two years or so the victims of one of the most ingenious and yet simple cheats of an ingenious and cheating age.

#### DR. ELLIS ON THE FOUNDERS OF MASSACHUSETTS.

THE two lectures repeated two weeks ago before the New York Historical Society, by Dr. George E. Ellis, of Boston, the first on "The aims and objects of the Founders of Massachusetts," and the second on "Their treatment of intruders and dissidents," had already been read in a course delivered during the winter before the Lowell Institute, in Boston, on the "Early History of Massachusetts," by gentlemen of that city and vicinity, well reputed for legal and historical learning. The entire course is now in press, making one octavo volume, and soon to be published. No subject could be less novel than this, which has furnished matter for a very large proportion of our historical and critical literature. Its freshness is preserved by its visible connection, in the sequence of cause and effect, with a large part of all the social and political action which has succeeded it in this country. Yet, by reason of this very connection, it has been exposed to distortion in its general treatment. The foundation of Massachusetts has often been related by writers professedly either "friendly" or "hostile," and alike ignorant of critical methods in history, or too strongly prejudiced to use them. It may be anticipated from the reputation of the other lecturers in this course that with them, as with Dr. Ellis, the veneration which as citizens of the Commonwealth they must cherish for their forefathers is compatible with scholarly and critical judgment.

It is to be regretted that Dr. Ellis's essays were not heard in this city by larger audiences than the rooms of the Historical Society can accommodate. The purpose of the first lecture was to demonstrate how contrary to the original record of the facts is the idea so commonly received and so persistently maintained by both the "friendly" and "hostile" historians, that the founders of the Massachusetts Bay Colony either really desired, or even professed to desire, to make their settlement a refuge for liberty of conscience or for civil and religious liberty, in any sense in which those words are now understood by ourselves or by any who use them. As was shown by Dr. Ellis from the declarations of Winthrop and others, and from the statute law, judicial sentences, and political action of the actual founders of that colony—that is, of those who transferred the chartered company government from England to Massachusetts—they came over with the hope above all others of escaping from what they considered the disastrous consequences of the liberty of conscience which at that very period was exhibiting itself in England in as many forms and aspects as it has ever since assumed in this country. While they proposed to deny such liberty to others, they, in form and theory at least, repudiated it for themselves by recognizing the Scriptures of the Old and New Testaments as containing a rule of positive law applicable by the magistrate in all matters civil and religious. It was their honest and avowed purpose, from the beginning, to identify church and state in the person of their chartered corporation, under which every person and every thing, even thought, so far as possible, should be controlled by law. Their scheme failed in due time. But the founders could hardly have been pleased if they had foreseen that what was failure to them would be called their design. Strangely enough both the "hostile" and "friendly" historians have agreed in ignoring this failure, and in attributing to the fathers a purpose entirely different from the one they avowed and endeavored to carry out; and accordingly one set of critics interpret their acts on the theory that they are hypocrites, and another set so color their policy so as to make it harmonize with the tendencies of our own day and generation. The Puritan fathers tried to turn back the current of civil society to a station it had left two thousand years before. They despised forces against which they were as helpless as a swimmer in Niagara. The stars in their courses fought against their purpose. Nothing can be more senseless than the common recognition of Providence as exhibited in the designs of the Puritans. Providence showed itself against their purposes, even when it brought great things out of their purposes. The dealings of Providence with the Puritans were like those of the confessor with the Italian lady who painted her face. She said she did it to attract the admiration of the young men, and he gave her absolution because the effect was directly the contrary.

What is wanted is, that the history and philosophy of this failure should be truly written. Dr. Ellis's treatment of the subject was incomplete owing to his not giving more attention to its legal aspect. Perhaps some of the distinguished jurists who participated in these lectures have

supplied the deficiency. The operation of English common law, as a law personal to the English subject throughout the countries of the New World held by the British Crown, was an important element in their situation, which the founders of the colony appear to have almost ignored. The historian must notice it as the great obstacle which stood in the way of their purposes, and which by its powerful but almost unobserved action finally brought the colonists into harmony with their fellow-subjects in the other colonies, as it brought them all in the fulness of time to national unity in the moment of separation from Great Britain.

The object of the second lecture was not, as unfortunately misrepresented in one of our daily papers, to reiterate "the trite charge of intolerance;" on the contrary, Dr. Ellis endeavored to show how unavoidable and even justifiable this intolerance was in view of their whole plan. This subject—the treatment of the dissidents by Massachusetts—can never be properly understood without consideration of the rights, public and private, of all parties under the common law of England. It was shown that the words of the charter seemed to sanction the arbitrary powers claimed and exercised by the corporation. But the question always was, whether a British-born subject might not have some rights of person and property on the soil of Massachusetts even though he had no part or lot in the privileges of the charter. It was to be explained how he might lawfully think, speak, and act in England as he might not in the colony. This part of the subject hardly received adequate mention in these interesting lectures.

But Dr. Ellis could not have left the Hall of the Society without serious misgivings as to the possibility of ever dispelling the cherished illusions popularly associated with this oft-told tale. When at the close of the second lecture the thanks of the Society were moved, as usual on such occasions, a reverend and doubtless learned member, who unfortunately had not heard the first, spoke of the settlement of Massachusetts as an instance in which government had visibly and historically been founded on the much disputed "social compact," and moreover that the Puritans recognized no sovereignty and no embodied political personality as lawgiver, but succeeded in being governed by law in the abstract, by law not traceable to any political authority; and these theories, in absolute contradiction of all they had just listened to, mixed up with some popular rhetoric about the late rebellion, were received by the learned society and its friends with more applause even than had been accorded to the lecturer. The Puritan government, vested in corporators named in a royal charter and such persons as they might choose to admit, would seem as unlike the idea of social compact as anything imaginable, unless it is their treatment of the so called "old Planters," who had been on the ground years before them, whose proposal to become members of their association they contemptuously spurned. The lecturer had related how the Founders, relying on the charter, treated these fellow British subjects as squatters on the company's estate, refused them a voice in the government, deprived them of house and lands, and turned them adrift. It is in connection with this that the historian must ask: What became of the common law so much talked of afterwards as accompanying every colonist, and as an inheritance of which his children could not be deprived even by King and Parliament?

It will seem sacrilege in the ears of many people to say it, and yet the truth is, that the "Pilgrims" located ten years before at Plymouth were nothing better than similar "squatters" in the estimation of the "forefathers" of the Bay Colony, who in fact told them so often enough and who would undoubtedly have treated them as such when strong enough, if they had not fortunately happened to be moderately well agreed on points of faith if not on theories of civil and church government. It would be well for every speaker on the Massachusetts colonial history, before a miscellaneous audience, to indicate that the founders of the Massachusetts Colony of 1630 are not in his mind identified with the Pilgrims who settled Plymouth in 1620, even though the two settlements are within the later province of Massachusetts. In all probability the famous compact of the Pilgrims on the *Mayflower* was inextricably involved with the idea of founders of Massachusetts in the minds of Dr. Ellis's audience. There was no more authority derived from "social compact," however, in the case of the Pilgrims than in that of the "old Planters" whom the Puritan corporators expelled from the headlands of the bay. Without patent or charter there could be no legal authority in the settlements except the admiralty jurisdiction, including the military jurisdiction of the crown—an authority which has been strangely ignored by all the historians. All other local authority must be referred to necessity and the sanction of later recognition. But that Rousseau's "social compact" should be made to play any part in the story of the Puritans and their chartered authority, shows that the subject treated in these Lowell lectures is not yet incapable of being benefited by historical criticism.

## Correspondence.

## THE BELLIGERENT RIGHTS.

TO THE EDITOR OF THE NATION:

SIR: It is with unfeigned hesitation and diffidence that, as a stranger resident in this country, I say a word on any question connected with its public affairs. But I am moved to do so by your reference to the impression prevalent among Americans, and apparently shared by you, that the time chosen by the British Government for the recognition of the Confederates as belligerents was a manifest sign of hostility to the Union, and may be taken as evidence of animus in interpreting the conduct of the same Government on other occasions.

That an irresponsible though large and powerful party in England was actuated by the bitterest hostility to the Union of course cannot be denied. But I speak of the responsible Government of the country. As one of those who believed that the cause of English liberty was bound up with that of the Union, I jealously watched, in the interest of both causes, the actions of our Government. Though perfectly independent of it, and on many questions opposed to it, I had personally good opportunities of informing myself as to the real disposition of its members. And it is my firm conviction that its settled policy from the outset and throughout the struggle was strict neutrality, practical as well as legal; and that if it erred (as I am myself inclined to think that it did) in its choice of the time for the recognition of the Confederates as belligerents, the error was the result not of any sinister bias, but of misconception alone. Of this I assure you upon my honor.

My testimony is that of an Englishman. But it is that of an Englishman whose feeling on this subject was as keen as that of any American, and who has as little inducement as any American can have to defend against truth and right the conduct of the governing class of England.

I am your obedient servant,

GOLDWIN SMITH.

CORNELL UNIVERSITY, ITHACA, March 27.

[We did not ourselves believe that the hasty recognition of the Confederates was due to animus. We have always supposed that it was one of Lord Russell's little bursts of blundering impetuosity; but it can surprise nobody that it should, when English society went over to the Confederate cause a year later, have been set down as the first expression of a prevalent feeling of hostility. Americans naturally, and indeed inevitably, viewed the first official act of the Government in connection with its subsequent official acts, and viewed all acts of the Government in connection with the state of public feeling, as revealed by the more influential portion of the press, and by the tone of conversation in society. As far as our own limited experience went, the English public was in a state of doubt and bewilderment until the battle of Bull Run; by that time the despatches of Mr. Seward, and the articles of a portion of the New York press, showing first that slavery had nothing to do with the contest, and secondly that the right of the Federal Government to coerce was at least doubtful, coupled with the appearance of Mr. James Spence's "great work," showing the rottenness of Northern society and the madness of the Northern enterprise—his statements, too, receiving a kind of confirmation from Federal reverses in the field—turned the scale against the North, and prepared the way for the insane demonstrations of hostility which marked the years 1862-3-4. Already in 1862, a man who ventured to maintain in most English circles that the cause of the North was a justifiable one and would probably succeed, was apt to be set down as a mixture of the silly creature and low fellow. The best he could hope for was to be treated as an amiable enthusiast. Now, those who were on the spot, as Mr. Goldwin Smith was, and, above all, who enjoyed as he did exceptional opportunities of watching the various stages in the growth of English opinion about the war, and the influence of "society" on the Government in its dealings with the belligerents, can readily draw the line between the mistakes of the Government and its wilful wrongdoing. But it is easy to see how and why the American public, looking on from a distance, saw in the whole course of the Government and people one transaction only, and found in the hasty recognition of the state of war an explanation of the escape of the *Alabama*; and in the enthusiasm for Semmes, and the toleration and even applause of Laird,

and the monument-building to Stonewall Jackson (a foreign general fighting for slavery), support for the belief which to-day is as strong as ever that the *Alabama* was employed by Liverpool merchants, with the connivance of the Government, to sweep American shipping from the seas, and transfer the American carrying trade to English bottoms. A more maddening belief could hardly get into the heads of a commercial people, but there it is. Professor Goldwin Smith did his part in fighting against the folly which put it there; but we doubt if he, or anybody else who has the faculty of seeing the two sides of a question, can think the present state of mind of the American public anything wonderful. It is not, we admit, the most exalted or philosophical or Christian frame of mind; but there is something thoroughly human about it, and, in our opinion, time only will change it.—ED. NATION.]

## THE AUERBACH CONTROVERSY.

TO THE EDITOR OF THE NATION:

If we have read the *Nation* understandingly, one of its principal purposes is to influence public opinion in favor of legislation to protect all rights and interests which the law does not now cover. Therefore, although this note takes its rise in a mere "publishers' quarrel," we feel justified in asking room for it in your columns.

We have just published the first two parts of Auerbach's "Villa on the Rhine." In each copy we placed a slip containing the following:

## A STORY IN A NUTSHELL.

From Hon. George Bancroft to Friedrich Kapp, Esq.

Legation of the United States,  
Berlin, December 10, 1868.

Rev. W. R. Alger, of Boston, proposed to Mr. Auerbach to take Roberts Brothers for his publishers. They, without Mr. Auerbach's consent or knowledge, published one of his works, and filled the country with advertisements of their intention to publish the next which he should bring out. Messrs. Roberts Brothers then made Mr. Auerbach an offer, which he refused to accept without a modification. They, on their part, refuse to accede to his proposal. So that matter stands. Messrs. Roberts Brothers have received from Mr. Auerbach neither manuscript nor proofs of his new work, nor have they from him authority to advertise or to publish.

GEORGE BANCROFT.

From Herr Berthold Auerbach to Messrs. Roberts Brothers.

[Translation.]

Baden Baden, October 22, 1868.

MESSRS. ROBERTS BROTHERS:

GENTLEMEN: I have before me a copy of your letter to Messrs. Leypoldt & Holt, dated Boston, October 3. The statements you make therein are absolutely incomprehensible to me. Let me recapitulate the facts. You reprint the translation of my novel "On the Heights," published by Tauchnitz, without my knowing a word of it. Mr. Alger, in sending me his own book, writes me a highly pleasing letter. In thanking him, I enquire whether he can find a publisher there who will pay me a satisfactory honorarium for my next book. I then receive a copy of your American edition of "On the Heights," and see that you already state in your announcement that you are going to publish my new novel, when up to that time no word of negotiation, much less of agreement, had passed between us.

A good while after, you make me a proposition. In my letter of July 15th I make my proposition in return, demanding a fixed honorarium, to which you object. I telegraphed you that only on condition of a fixed honorarium will I close a bargain with you, else the new novel is otherwise disposed of. You don't answer by telegraph but by letter, persisting on your previous propositions, though I had decidedly declined them. Herewith the matter was completely finished between us, and I really cannot comprehend whereon you base any lawful claim to the new book, "Das Landhaus am Rhein." All attempts at coming to terms having failed, I legitimately made over my new novel to Messrs. Leypoldt & Holt, of New York. This is the way matters stand.

I have nothing more to add, and will be confident that you now will not interfere with the authorized publishers, Messrs. Leypoldt & Holt, of New York.

In this confidence, I subscribe myself, most respectfully,

BERTHOLD AUERBACH.

Messrs. Roberts Brothers are now publishing an edition of the novel.

Messrs. Roberts Brothers at once issued a similar slip containing the same matter, with the following rejoinder. We italicize certain passages, for which we invite comparison with the statements of Messrs. Bancroft and Auerbach.

## "ANOTHER 'STORY IN A NUTSHELL.'"

"[Extract from a private letter of a foreign author to his friend in America.]

"You have taken such a strong interest in my literary work that I place in your hand, with entire trust, the conditions for the publication of



my book in the New World. . . . And it is to me a refreshing assurance that I know you are a good and true deputy for me."

"There was once an author who lived in Germany, and he wrote a book which he wished to have published in America. And he wrote to a friend in America, who was also an author, asking him as a favor to secure him a publisher who would be willing to pay him something. And his friend secured him publishers who agreed to pay the foreign author more for his book than native authors receive."

"Now, after many months had expired, and the publishers had by their money and means assisted to make the foreign author famous in America, the foreign author, who had hitherto made no objection to the bargain concluded for him at his request by his friend, bethought himself of different and preposterous terms for his book. But the publishers declined to accept those terms, having, as they thought, a right to the book according to the arrangement originally made with the foreign author's friend; and in defence of their rights published an original translation of their own, in a perfectly legal manner. And the foreign author found another publisher who was willing to take the book, without saying the customary 'by your leave' to his neighbor."

"This is a true 'Story,' founded on fact: the names purposely omitted, that private rights may be respected. And the moral of it is, that foreign authors, without legal rights, should be contented with a compensation which native authors, with legal rights, consider satisfactory."

Published by ROBERTS BROTHERS, Boston."

Before making our comments, we wish to illustrate by examples the method of interpretation necessary to apply to the written statements of Messrs. Roberts Brothers.

On February 6, 1868, we announced a revised translation of "On the Heights." We received from Messrs. Roberts Brothers the following letter:

"BOSTON, February 7, 1868.

"GENTS: We notice your announcement of "On the Heights" in the *Commercial Advertiser* of the 6th inst.

"We beg to say that we announced our edition in *The Commercial Advertiser* of January 23.

"Our edition is now printing, and when we add that we are publishing under a direct arrangement with Mr. Auerbach, we know you will, with your usual courtesy, withdraw."

Yours very truly,

ROBERTS BROTHERS.

"Messrs. Leypoldt & Holt, New York."

We found out afterwards that (although nothing but "On the Heights" had been mentioned between us up to the writing of the above letter) they had reprinted that book without Mr. Auerbach knowing anything about it. We drew their attention to this fact. Their reply was:

"We did not say that we were publishing it" (namely "On the Heights") "by arrangement with the author."

Now, not forgetting the principles of interpretation indicated by the above illustrations, we have a word to say in regard to their reply to the statements of Messrs. Bancroft and Auerbach.

They say that they "agreed" (offered would be more correct) "to pay the foreign author more for his book than native authors receive," and terminate their statement by the "moral"—"that foreign authors, without legal rights, should be contented with a compensation which native authors, with legal rights, consider satisfactory."

These considerations do not in any way touch the value of Mr. Auerbach's book; he *did* succeed in getting publishers to give him satisfactory terms, and it is notoriously true that Hugo, Reade, Dickens, and others are constantly receiving inducements from American publishers which few if any American authors lay claim to.

Messrs. Roberts Brothers imply a claim on Mr. Auerbach because they "had of their money and means assisted to make the foreign author famous in America." They did this through publishing and advertising "On the Heights," out of which they made a very handsome profit.

They say that they publish an opposition edition of "The Villa on the Rhine" "in defence of their rights." What these "rights" are has already been shown. It is a queer way to "defend" them, though, to publish a book out of which (considering our facilities for finishing the book before them) they certainly cannot make enough to pay for their trouble, and their only possible motive for publishing which is to draw off towards their expenses a portion of the profit which Mr. Auerbach and ourselves would otherwise realize.

They intimate blame to us for not "saying the customary 'by your leave.'" Could we be expected to ask their leave to buy from its owner a thing to which they had asserted a claim which we had every reason to believe they never had?

Now, to our rejoinder let us append our "moral."

I. If the American people owe Berthold Auerbach anything for what his books have done and are to do for them, it would be only simple justice for such as know of this case to do what comes in their way to promote the enactment of a law to defend him and others like him.

II. If the same people care anything for respectable translations of foreign authors, instead of the detestable travesties which now generally go under that name, they had better put it in the power of such authors to select their own publishers, and to get their books on this market at a rate leisurely enough to obviate the necessity of that supervision of translations which few publishers will or can give, and which nothing but our exceptional enthusiasm for Auerbach would have induced us to give, as we have done, day and night for weeks. (We do not mean by this to cast any slur on the translation of "The Villa on the Rhine," which Messrs. Roberts Brothers are publishing.)

III. If society owes any protection to the individual, it owes us, and Messrs. Roberts Bros., and all other publishers, some sanction of law under which we can neither misunderstand nor pretend to misunderstand our rights, and under which we can be protected in the legitimate prosecution of a business which has at least as much to do with human happiness and progress as anything in which mere dollars and cents can enter.

Yours respectfully,

LEYPOLDT & HOLT.

BROOME STREET, March 30, 1869.

## Notes.

### LITERARY.

MESSRS. FELT & DILLINGHAM announce what we take to be the Cassell, Petter & Galpin edition of the monosyllabic "Swiss Family Robinson" and Mrs. Barbauld's "Evenings at Home." They are now all but ready. We may properly refer our readers to a literary note of last week, in which we spoke of an obvious injustice done by Messrs. Cassell, Petter & Galpin to Miss Mary Godolphin, the originator of the one-syllable literature, whose versions of "Evenings at Home" and "The Swiss Family Robinson" will be published by Messrs. George Routledge & Sons.—Mr. George S. Wilcox, of this city, announces as ready for delivery a work in one hundred and fifty pages, by Mr. E. W. Martin, containing "complete, authentic, and entertaining biographies" of the members of President Grant's cabinet.—On April 10, Messrs. J. W. Schermerhorn & Co. will issue "The Diadem of School Songs," a work by Professor William Tillinghast. "Its beautiful illustrations," the publishers say, "make it a decided novelty," and—what is more to the purpose—they announce that it will contain songs "adapted to every possible occasion in every kind of school"—as, for example, "quiet songs," "boatmen's songs," "skating songs," "sunset songs," "rain songs," "May songs," "morning songs," "keep-in-the-right songs," "parting songs," "graded-school songs," "visitors' songs,"—in short, as we have said, songs for every possible occasion.—In most, indeed we believe all, American editions of "The Old Curiosity Shop," the chapters entitled "Master Humphrey's Clock," in which figures the infant son of Mr. Samuel Weller, are omitted—for reasons best known to the author. In Messrs. Hurd & Houghton's Dickens—in what is the fourteenth volume of the "Globe" edition, twenty-seventh of the "Riverside," and the fifty-fourth of the "Household" and the "Large Paper,"—this pleasant little last view of Tony and his offspring is restored to its original place. The volume in which it appears contains also some of the later Christmas Stories, a list of "Familiar Sayings" from Dickens's works, and an "Index of Characters and their Appearances," which have been prepared expressly for the editions above mentioned. The latter is a catalogue of all the fictitious personages to be found in Dickens's, characterizing each of them by a word or two, and giving references to all their appearances on the scene of the story. The same house announce that they have in preparation a new edition, revised by the author, of Hans Christian Andersen's works. It will be in five volumes, which respectively will contain his novels, "Winter Stories and Tales," "Sketches of Travel," "Selections from Dramatic and Poetical Works," "The Story of My Life." The last-mentioned book will now be published for the first time in an unabridged form, and the author will supply additional chapters. Hurd & Houghton also announce "Woman in Prison," by Caroline H. Woods, for some years a matron in a state prison; "Among the Trees," by Mary Lorimer; "Stories from an Attic" by the author of "Dream Children," with six illustrations; "An American Family in Paris," profusely illustrated; X. B. Saintine's "Dame Nature, or Talks and Stories about Natural History," "A Little Boy's Story," from the French of Julie Gouraud, by Laura C. Redden; and another work by the same author, "The Little Peddler," "William Gay, or Play for Boys," by Jacob Abbott; a complete and revised edition of "Mother Goose's Melo-

dies," with eighteen full-page illustrations by Mr. H. L. Stephens, and ten smaller ones by Mr. Gaston Fay, and "Country Sports and Scenes," by an anonymous author, with designs by Mr. H. W. Herrick and others.

—We have received too late for previous notice a large volume containing a catalogue of the library of the late Hon. A. G. Greene, of Providence, R. I., which Messrs. Bangs, Merwin & Co. are now selling at auction, and which it will still take some days to dispose of. This library is, or was, rich in "Americana"—a class of works to which the majority of collectors in this country can hardly direct too much of their attention, the market for such books being a sure one, and most of our collectors being willing enough, when they buy, to purchase works relating to the history of their native country, and willing enough—as their heirs are, too—when they sell, to get a remunerative return for what money of theirs has been invested in books. Then, too, this branch of collecting is for many reasons an inviting one to the collector who has in his mind no thought of gain. It is not so well gleaned and thoroughly known a field that the gleaner in it may not feel hope and fear, encouragement in the search, and frequent triumph at the successful result of his pursuit. Mr. Greene—no doubt for the gratification of his historical tastes, although he was a lover of poetry, too—had made an unusually full collection of the writings of American poets and poetesses—"Feathers from a Moulting Muse," as says one of the male singers themselves. It is curiously melancholy to read over the long list of these unfortunate flutterers which might better have been moulted far away from the ink pot, which has served the most of them only as a means of recording their oblivion, of making eternal their transitoriness and evanescence. It is not a cheerful thought that in 1826—a year that somehow seems to have gone further back than most among the years beyond the flood—Mr. Robert Stevenson Coffin, "The Boston Bard," gave the world his "Oriental Harp," and there is an odor of dusty mortality in the information that in 1843 Mr. Henry Rowe Colcraft brought out "Alhalla, or The Lord of Talladega." Three years before was the date of "The Captivity in Babylon," the admired work of the Rev. Mr. Joseph Clinch. So they go on—two thousand of them, more or less—still-born and dead and dying, which feelingly persuade us what we are, and teach any of us who are in danger of forgetting it that for the *genus irritabile*, also, there is profound rest. Altogether, poetry and all, the collection includes about seven thousand volumes.

—On Saturday evening last Mr. James Harper, the aged head of the world-famous house of Harper & Brothers, died of injuries received in a fall from his carriage. His death was practically instantaneous, for he was unconscious from the time of the fall till his life was wholly gone. He thus ended by what has been called the most fortunate of deaths a life that had been fortunate and happy, long, healthy, cheerful, and laborious. Yet fortunate is hardly to be said of him, his success was so certainly the reward of his industry, which raised him from very low beginnings to affluence and to the possession of a business with which that of only one other American book-selling firm can be at all compared. If we take into account the large number, immense circulation, and high character of the periodicals which the Harpers publish, we shall be obliged to consider them as the most powerful of our publishing firms; more than that, we shall recognize in them some of the most influential men in the whole country. That the influence of the house has upon the whole always been upon the side of good is in great part due to the character of the gentleman just deceased. The other publishers of the city have taken proper measures to show their high respect for the veteran of "the trade," and the day of his funeral was observed as a *dies non* by all the booksellers.

—For reasons best known to himself, the valedictorian at the recent Commencement exercises of the Medical Department of Georgetown College divided his address into three parts, one of which he wrote in what he calls "Anglo-Saxon English," another, shorter, in "Latin English," and a third—so short that we may quote it—in "Greek English." The result of his labors is, that he has produced an oration which is not English at all, his Anglo-Saxon English being no better and hardly nearer our tongue than his "Latin" and "Greek English"—both of which are very much mixed with words of Teutonic origin. The sentences that we spoke of quoting are these:

ARCHIATERS: For the phalanx of giants, PHYSIC, which you, by your zeal, enthusiasm, and energy, have organized with technical hellenic tactics, they, whom you have elected to be the polemarchs, ever must hymn pæans to you, not, however, in eulogistic rhapsodies in a theatre of the metropolis, but rather in their practice as physicians. An eutrophy and euthanasia to you all.

This nonsense illustrates—of course, in an extremely exaggerated way

—the folly of a well-known sort of purism which would assert too exclusively the claims of this or that element of our composite language. And it does it no more forcibly than the two unquoted divisions of the speech. Furthermore, we may be excused for saying that it illustrates pretty well the truth that in some of our American institutions of learning it is not impossible for a man who graduates with honors to make a sort of display which in a thoroughly well-regulated college would neither be permitted nor attempted.

—There are a good many reasons why the graduates of Harvard may look with pleasure on the nomination of Professor Eliot to the presidency of the college. The fact that he is but thirty-eight years old has been spoken of as if it should be a bar in the way of his advancement to an office of so much dignity—to the duty, too, of presiding over the deliberations of men some of whom are old, as well as over the oldest and probably the best of all our American institutions of learning. But some of our most successful college presidents have been young men—as, for example, Nott, and Wayland, his pupil. Professor Eliot will bring to the discharge of his labors great energy, activity, and decision. Very likely he may be something of a strict disciplinarian, but the difference between his government of the college and that of a mere pedagogue will be—we were going to say, infinite. For he is thoroughly in sympathy with the modern views as regards education, and it is beyond a doubt that, so far as he can have his way, Harvard will be put on the road to becoming a true university. It easily might have happened to her to be remanded to the limits of the high-school system. Mr. Eliot's mind is, as we suppose, inclined rather to scientific than to what may roughly be called more liberal studies; but his mind is not one-sided, although his attainments may be of a special rather than a general character. All the graduates of the college, we should hope, will expect of him what most of the younger ones certainly do, a very useful and honorable term of office, and will be devoutly thankful, we should say, that so "available" a man should be so good a one for the place.

—A New England "minister" of the days of 1750 and thereabouts did not necessarily or probably look on marriage as a holy sacrament, and judging from the practice of slaveholding Catholic countries, perhaps there is not much authority for believing that if he had so considered it he would have felt obliged to insist on its sacredness in the case of a colored couple. But still it is a little startling, even to the reader who regards marriage as a civil contract merely, to read a "form of marriage" which was drawn up and used by the Rev. Mr. Samuel Phillips, a pastor in Andover, Mass., for sixty years, from 1710 to 1771. It appears that the negro bride and groom and the witnesses having been gathered together before the clergyman, the latter used first to address the intending husband and require him to promise that "*so far as shall be consistent with the relation which you now sustain as a servant, you will perform the part of a husband toward her; and in particular you promise that you will love her; and that, as you shall have the opportunity and ability, you will take a proper care of her in sickness and in health, in prosperity and adversity.*" The bride for her part was then required to promise the same things, and—as was also required of the groom in respect of her—to say that she would be "true and faithful to him and cling to him, *only so long as God, in His Providence, shall continue his and your abode in such place or places as that you can conveniently come together.*" The minister then declared to them that for such time as God should continue their place or places of abode as aforesaid, and for so long as they "should behave and conduct themselves as obedient and faithful servants"—"not as eye-servants, men-pleasers"—"toward their respective masters and mistresses" they might consider themselves man and wife. "And finally," he used to say them, "I exhort and charge you to beware lest you give place to the devil"—who when he finds men and women in very prosperous circumstances, is apt to stir them up without distinction of color to great heights of vain-glory and haughtiness—"so as to take occasion from the license now given you to be lifted up with pride, and thereby fall under the displeasure not of man only, but of God also; for it is written that God resisteth the proud but giveth grace unto the humble." Prayer used to conclude the ceremony, which seems to have been a tolerably recognizable part of "the great missionary scheme" that used to be spoken of, for bringing the benighted children of Africa to a knowledge of the gospel light.

—In connection with Mason's "Brief History of the Pequot War," we omitted to mention the elegant "Catalogue of the American Portion of the Library of the Rev. Thomas Prince. With a memoir and list of his publications, by Wm. H. Whitmore" (Boston: Wiggin & Lunt, 1868), which



also furnishes a portrait of the distinguished preacher and antiquarian. The whole of his library, left as a public trust in charge of the Old South Church, whose pastor he was for forty years, has been deposited in the Boston Public Library, and by special arrangement the catalogue there made of it has been selected from with a view to uniting the titles which relate to the early history of this country—the most valuable of the collection, numbering 1,519, and a monument to the sagacity of their former owner. Among these is, of course, his own "Chronological History of New England in the form of Annals" (1737), which was reprinted in 1826. "It remains as a standard authority," says Mr. Whitmore, "and can never be superseded." The author's original publications herein enumerated amount to some forty, chiefly sermons, and most of these funeral or thanksgiving. He was able to preach, too, on earthquakes, namely, the "late dreadful Earthquake," 1737, and the "dreadful Earthquake felt in Boston, New England, Nov. 18, twenty minutes past four in the morning," 1755. The latter had two discourses devoted to it, both designed to prove the phenomenon, wherever occurring, the work of God and a token of his just displeasure, but also employed to convey—the one, "A Brief Account of the natural, instrumental, or secondary Causes of these Operations in the Hands of God," the other, "An Historical Summary of the most remarkable Earthquakes in New England, from the first Settlement of the English here, as also in other parts of the world since 1666." The "distressing drought" of 1749 called for similar moral reflections and a reference to others "which have been known among us in the Memory of any Living." The value of Mr. Whitmore's catalogue may be judged from the list it affords of Cotton Mather's writings alone: they occupy twelve pages.

—A reasonable curiosity may be indulged to learn the price fetched by a small "Raphael"—believed to be, prior to the auction of March 15, the only one that has not been absorbed by the great galleries of Europe—offered last month with the Galerie Delessert in Paris. This little painting, about 12 by 8 inches, on cedar wood, is an unhackneyed study of the Virgin and the Child Jesus, and brought at auction in London £500, but when bought by the late owner in 1845 brought 24,000 francs—nominally twice as much. Nowadays the latter price would be a bagatelle. There have been many engravings made of this "Raphael," and a not unpleasing half-size wood-cut is given in the *Zeitschrift für Bildende Kunst*, No. V., Vol. IV., with correspondence in relation to the picture and the then prospective sale by W. Bürger. The same number contains an excellent etching of a small painting by Metz, the "Woman with the Beer-pitcher," slightly reduced from the proportions of the original. The accompanying text throws light on the hitherto obscure and neglected history of this industrious Dutch artist, tracing the influence of Rembrandt upon him as teacher (in all probability), and changing the commonly accepted date of his birth from 1615 to 1630, with a corresponding postponement of his death. In the Supplement for the 5th of March is an account, by a St. Petersburg correspondent, of numerous objects of Greek art found among the burial tumuli in South Russia, especially those uncovered last summer in the neighborhood of the peninsula of Taman. The excavations there are constantly pursued, under the auspices of the Imperial Government, who carefully preserve the relics thus obtained in the museum of the Hermitage. The recent discovery of ancient remains at Palermo promises to keep alive the interest excited by the discovery of silver ware at Hildesheim, and, together with the Russian and Pompeian revelations, to add much to our knowledge of the domestic life of both the Greeks and the Romans.

—A good story is just now going the rounds of the press in North Germany in relation to the Bismarcks. The count's son is a pupil, it seems, in one of the Berlin schools, when recently, in accordance with an established custom, the scholars had to deliver orations on a theme selected by the teacher—who in this instance may have leaned a little to toadyism, though one who dislikes to see the elders snubbed by youth will hope not. The subject which he set for declamation was this: "What man has rendered the greatest service to Germany within the last three or four years?" And when he had announced it, he said, "Mr. Von Bismarck, will you speak on this question?" The young gentleman mounted the platform, and amid much silence began speaking with these words: "Not a few men have rendered great services to Germany during the last few years—some in one way, some in another. But one man in particular deserves mention—a man who has promoted a variety of useful undertakings, who has furthered industrial pursuits, increased the facilities for intercourse," and so on, to the surprise of his hearers. "That man," the orator continued, "is Doctor Stronsberg." Doctor Stronsberg is a railway projector and contractor who of late has been very successfully active in

constructing railroad lines of importance. Von Bismarck's readiness, and courage, and inclination to sarcasm and superciliousness seem to have descended to his son.

—The best Russian writers are all hard at work this year. Turgenev has just published in the *Russian Messenger* a pretty little novel called "The Unfortunate," a German translation of which is about to appear in the journal *Der Salon*. He is also getting through the press in Moscow a new edition of his works, which will contain his Autobiography and Literary Recollections, the appearance of which is looked for with great anxiety. The number of the *Russian Messenger* which contains Turgenev's novel has an article on the United States Agricultural Department, and a translation in verse of one of the tales in Morris's "Earthly Paradise." Count Leo Tolstoi has finished the fifth and last part of his great novel "War and Peace," and it will be published in a few days. This includes the occupation and fire of Moscow and the Vienna Congress. He is said to be busy on a second part of the "Cossacks," which Turgenev calls the best book in Russian. Gentcharoff, after a long silence, contributes a long novel to the *Messenger of Europe*, with the name of "A Fragment." Pisemsky is writing for the new monthly *The Dawn* a novel called "People in the Forties." It is one of his excellent descriptions of upper middle-class life. One of the latest publications in Russia is a translation of Boynton's "History of the United States Navy during the War." An article on Turgenev will appear in the next number of the *North British Review*, written by Mr. W. R. S. Ralston, who recently published an English translation of Krilof's fables (George Routledge & Sons), and who wrote the article on Ostrofsky in the *Edinburgh Review* of July, 1868. He has recently finished a translation of Turgenev's "Nest of Noblemen," which will be published under the name of "Lisa."

#### MR. STEDMAN'S "BLAMELESS PRINCE."

NOTHING is more common than to hear American materialism insisted upon. And this, let us make bold to say, although it is probable that there is no contemporary people better furnished with ideas, and at all events none that sacrifice more to what they have, be they moral, religious, or other, than the sublimated Englishmen who have just fought out the war for "the Union" and for "State Rights," and among whom there will very likely come into existence during this week and next—coming with the usual attendant obloquy and self-devotion—one or two new sects founded on some fine-spun elaboration of Christian dogma, and one or two others founded on some refined idealistic or socialistic principles. It would be curious to trace the origin of the widely extended belief in the materialism of Americans. In the older criticism of "the States," it used to be assumed by the unfriendly critic that we were all so busy in (sybaritically) chopping down trees in the untamed wilderness, and in afterwards greedily sawing them up for "the almighty dollar," that, necessarily, we must care vastly more than other people for the gross things of this present life. Our friendly critic, too, as well the unfriendly, were wont to make much of "the wilderness." Forgetting that a good half of us, or three-quarters of us, used to give up one day in seven and two or three evenings of every week to pursuits about as far removed from materialism as any occupations of rational men can be, he used to make for us the excuse that really we had no time for idealism—an excuse which (considering what the fathers of the country came here for, and what they did when they got here) seems about as necessary for John the Baptist and his wilderness as for the men and their descendants who came over in the *Mayflower*, and with fasting and prayer founded towns in their wilderness. Then, there is no denying it, our "chosen people," as seems characteristic of chosen people under both dispensations, were always reasonably sharp at bargaining; it was not usual for the heathen to despoil them much: so quite generally it happened that such persons as came over here from European countries with the intention of weaning us from our almighty dollar went away without any extremely large part of it, and not unnaturally such persons spread abroad the theory that we were thorough-going materialists who cared for nothing but lucre.

But the truth is, we suppose, that neither our foreign nor our native critics took much pains accurately to settle, before they began to talk about it, what was and what was not the true materialism of their day. When Irving invented the one phrase of his which is still current in men's mouths, and charged against his countrymen that the dollar was all powerful among them, he rested content, it would seem, in a pardonable boyish belief that for him and his literary companions immaterialism consist-

\* "The Blameless Prince and other Poems." By Edmund Clarence Stedman. Boston: Fields, Osgood & Co. 1868.

ed in admiring and imitating the men who had written books in the Augustan age of Anne; and that for other Americans it consisted in admiring the imitations of his favorites which were put forth by him and his companions. And yet during the lifetime of him and his companions, the West carried churches and schoolhouses along the track where he had hunted buffaloes; hundreds of thousands of emigrants crossed thousands of miles of ocean as to a land of promise, because they knew that here among his materialist countrymen the idea of freedom, religious and political, had full scope to work out its last results; and, to say no more, it was during the time of all the sighing about our earthiness that the work was begun, and after a generation of labor was finished, of emancipating a nation of slaves.

In those days we were not, to be sure, producers of literature to any great extent. And yet who of our race and time is much surer of life than Hawthorne, born "in the year of the Independence of the United States" the twenty-eighth? and whereabouts in English-speaking countries shall we find two poets side by side, who, all things considered, can be admitted to be so genuine and durable as Emerson and Lowell? or a poet of so wide acceptance as Longfellow? Yet the life of each of these men covers more than half the period of the national life. There is Bryant, also, to be thought of. So we have not done so ill by liberal letters after all. And in the case of minor poets—the number of whom in a country is a better measure of its general culture than is afforded by the number of their greater brethren—we are beginning, it seems, to be particularly well off in them, that is to say, for a people "engaged in a struggle with wild nature, whose hands are better acquainted with the axe than the pen, whose sledges are frequently pursued to the centre of the hamlets by troops of ferocious wolves," and so forth. The *Saturday Review*, we observe, has recently felt compelled to devote some columns to an American poet—American or of the Dominion of Canada—with whose works, as the Boston *Advertiser* properly insists, none of us over here are very familiar. And besides Mr. Dagnall—whom the reviewer mumbled, to be sure—we have living and active among us Doctor Thomas Parsons, whose name is dear to every lover of true poetry who has become acquainted with his works; Whittier, the greatest literary name that illustrates the history of the Society of Friends; Mr. Leland, the father of "Der Breitmann;" Mr. Brownell, from whom too little has been heard since he wrote battle poetry not unworthy of a place beside any in the language;—and Mr. Forcethe Willson, who died too soon, and whose "Old Sergeant" is as good in its way as Mr. Brownell's "Bay Fight" and "River Fight," is not long dead, as also are "Private Miles O'Reilly" and the promising John Dorgan. Dr. O. W. Holmes, too, we hear, whose poetical works will last as long as there shall be collections of "humorous poetry;" and Mr. R. H. Stoddard, a writer who—though perhaps he has not, or has, worked it out—has sufficiently proved that he had in him once a vein of poetry; and the Misses Cary; and Mrs. Helen Hunt; and Mrs. Akers; and Miss Larcom; Mr. Bayard Taylor; Mr. Boker; Mr. G. W. Curtis; Mr. Weeks; Mr. Sill; Mr. Piatt; Mr. Aldrich; Mr. Howells, who will one day write poetry again, we suppose; Mrs. Julia Ward Howe; Mrs. Piatt; and dozens more whom we might mention, of whom not the least is Mr. Stedman, and all of whom beside what other praises we may give them deserve one and all this praise, that they all without exception work honestly and with some success in the cultivation of a liberalizing art, and to a certain extent protect their tuneless fellow-citizens from the particular scoff of which we have spoken.

"The Blameless Prince" is the longest poem in Mr. Stedman's little volume, and is not, we should say, the best. We like better the simple and natural little piece called "The Doorstep," in which Mr. Stedman is fully on a level with his subject, and which is interesting and pleasing not only as a spirited picture of "manners" in New England in the old times, and now, perhaps, but also appeals to sentiments pretty universally diffused wherever young men and young women are to be found walking together in the evening.

"Pan in Wall Street" also we liked; it is a pretty, fanciful little poem, graceful and true in conception, as not all Mr. Stedman's poems are apt to be—for sometimes he reaches after a subject that he can hardly handle or get a good hold upon—and it is characteristically well finished.

"The Blameless Prince" is the heir apparent to a small principality which adjoins the far more powerful and wealthy realm of a youthful queen who chooses the prince, her old companion, for king-consort. As he rides to his future wife's dominions, he halts awhile at the estates of an old nobleman, with whose wife he suddenly finds that he is in love, as she with him. They part understanding each other's hearts, but blameless; and the prince makes a good husband, a good statesman and soldier, and

is in all respects a mirror of knighthood, till unfortunately the old nobleman dies, the widow comes to court, and the lovers fall. Years follow, not without their pleasures for the pair, who, however, are after all so dissatisfied with the life of guilt and concealment that they are obliged to live that they agree to separate. Riding away from their last meeting the prince is killed by the fall of a tree, and the queen and the whole kingdom mourn for him. But the queen, after her first shock of grief is over, visits a nunnery where she is told of a novice who desires to speak with her. It is of course the paramour. If this lady had not been represented as a penitent, we should have supposed that her action as regards the queen was dictated by certain so-called feminine feelings not much to her credit. She lets out the secret, and of course makes the queen excessively angry at first, and excessively miserable all her remaining days; and for her only excuse she has the very lame one that she thought God would have her "make confession and to you." The queen shows a proper spirit while she is in the room with this singular convert from the ways of the world, but nevertheless goes home to die—not at once, but afterwards—on occasion of the ceremony of unveiling a grand mausoleum for the dead prince, on which is this inscription:

"Of all great things this Prince achieved his part,  
Yet wedded love to him was worth them all."

On reading these words, sardonic enough certainly under the circumstances, the poor queen falls dead; and her loving subjects lay her relics beside the body of the man "she must have loved so much." This final scene is well managed; but the preceding one in which Mr. Stedman seems to have laid out more of his strength is very weak in itself, and in its relations to the plot of the tale. There should have been, and easily could have been, contrived some better way of bringing the queen's wrongs to her knowledge. For example, it is not at all unsupposable—in fact, considering the age at which he was captivated and his after disgust, it would have seemed very plausible—that the blameless prince might have been infatuated with a woman quite capable of telling the queen for the sake of avenging herself upon the lover whose uneasy conscience made him desert her, and of planting a thorn in a successful rival's heart.

But it is not especially for coherent and forcible conception nor for strong thinking that we look to Mr. Stedman, but for the sort of feeling for nature that a man has who is in the country for a month's vacation, for a pretty fancy, for an outward elegance of finish, and, when he can content himself with being simple, for an occasional delicate expression of genuine, common sympathies.

By the way, with such mastery of many metres as he has, it is a wonder that Mr. Stedman's ear could allow him to print many of the hexameters which occur in his translations from Theocritus. As these translations with others are by and by to make a book, unless we are misinformed, we say no more of them in this place.

#### A CYCLOPEDIA AND DICTIONARY COMBINED.\*

A SOMEWHAT grandiloquent and, therefore, loosely written prospectus gives us fuller information about the range and scope of Mr. Zell's cyclopædic publication than would be given on its provisional title-page. The design of the work is "to incorporate into a compact and concise form the vast information hitherto found only in numerous books, such as gazetteers, biographical dictionaries, the numerous volumes of encyclopædias, and the large dictionaries of our language." It will be issued in parts, "at a price so low that it will be within the reach of all," the parts to be nominally weekly or monthly. We say nominally, for the two hundred or two hundred and fifty "weekly" numbers—at ten cents—are to be issued in two years. The whole is to form two large royal quarto volumes, embracing no less than one hundred and twenty-five thousand articles. It is needless to say how useful and convenient an all-embracing and yet compact book of reference like this must be to every more or less educated man, if well executed. Our "well" means here, of course, only "tolerably well;" for vast compilations like the one before us cannot be expected to be done with the thoroughness and accuracy which we justly demand of writers on special subjects, nor to show that symmetry of proportions and correctness of arrangement for which the editors of a collective publication of limited range may be held responsible. The first ten numbers of the "Popular Encyclopedia and Universal Dictionary," which we have scanned with the attention of an often disappointed eye, have rather surpassed our

\* "Zell's Popular Encyclopedia and Universal Dictionary of History, Biography, Geography, Science, Art, and Language, brought down to the present time, and illustrated with over two thousand engravings. Edited by L. Colange, assisted by eminent scientific and literary gentlemen." Numbers 1-10 (A—America). Philadelphia: T. Ellwood Zell. 1869.



expectation. For a book which on one column has to give us information about the biblical personages Ahimaz, Ahimelech, Ahinoam, Ahiram, Ahithophel, and Abolibamah; about Ahlwardt, "the founder of the Abelite society;" the Eastern princes Ahmed-khan and Ahmed-shah; Ahuitzol, the Aztec emperor, and Ahriman, the Persian deity; about the German towns of Ahlen, Ahrberg, and Ahrweiler; the East India districts of Ahmedabad and Ahmednuggur; Ahnepec, a post village in Wisconsin, and Ahoghill, a village of Ireland; about the nautical terms "ahold," "ahoy," and "ahull;" the botanical species "ahouai;" the Ahrian group in geology, and the "ai, the three-toed sloth"—we find it in the main both full and correct. By this we do not mean to say that it would require a particularly close search to discover omissions, inconsistencies in orthography, or errors. Some such defects, though of the slighter kind, are perhaps but too easily discoverable. Neither the mineral "allochroite," nor the fish "alphest," nor the ancient geographical names of Acherontia and Acte, nor Acoris, king of Egypt, ought to have been omitted, and still less the river Alazon. "Alloquy," the Shakespearean "allottery" and "alnight" might have been given, as other obsolete words are. "Memoir[s] de la Duchesse d'Abrantes" (under "Abrantes"), "Favignana" and "Levango" for Favignana and Levanzo ("Egades"), "Gulio" for Giulio ("Alberoni"), "Taganrok" for Taganrog ("Alexander I. of Russia"), "Alfonzo" and "Alphonzo" for Alfonso and Alphonso, "Logrona" for Logroño ("Alfaro"), "Cioinias" for Clinias ("Alcibiades"), "Amer" for Omar ("Alexandria"), and "1513 B. C." for 503 B. C. ("Agrippa Menenius"), belong to a class of misprints which a careful revision ought to exclude, and criticism must rebuke. The articles "Alexander Newskoi," "Alexis Michaelowitch," and "Alexis Petrowitch," in which *w* (after the German) and *e* are alternately used to express the Russian *e* and *ff*, ("Newskoi," "Michaelowitch," "Petrowitch," "Wladimir," "Jaroslav," "Noegorod," "Romanov"), and in which both *witch* and *witz* ("Feodorowitch") replace *vitch*, which alone is correct, show that the writers and revisers are still in a perfect muddle concerning Russian names. "Kamtschatka," after the German, is also used (under "Alaska") to the exclusion of the correct English form. "Heb. *almugem*, *algumem*" (under "Almug") stands very incorrectly for Heb. *almuggim*, *algunmim*. By a very strange anachronism, or rather by a careless process of condensation, the Amalekite, King Agag, who "was hewn in pieces in Gilgal" by Samuel, is made identical with the unknown commander of that people who "on the Israelites coming out of Egypt attacked them in the wilderness and slew all stragglers." The article "Amalekites," however, knows the dates of the two events, separated by four centuries ("B. C. 1491" and "B. C. 1093"), and knows them but too well, for we are at a loss to understand how the precise year of the death of the Amalekite can be ascertained. The date of the death of King Ahab is given, quite exceptionally, according to the era of the world. The Ahasuerus of the Book of Esther is identified with Artaxerxes, contrary to the opinion of most modern critics, who see in him Xerxes. Some of the historical articles are strikingly defective. Such are "Adams, John Quincy," "Ali Pasha," "Alberoni," and "Alexander I. of Russia." In the last named article, the invasion of Russia in 1812 is thus mentioned: "In the latter year hostilities were again commenced between France and Russia, and were actively continued until the downfall of Napoleon." Under "Alexander II." we read the erroneous statement that "peace was concluded the same year" in which "the allies obtained possession of Sebastopol." Most of the narrating or descriptive articles, however, are ample and well-written, no other, perhaps, being as awkwardly done as the sketch of Abd-el-kader, which begins thus without any reference to standing, country, or time: "Abd-el-kader, very renowned by the persevering courage with which he opposed the aggressions of the French against his country, was the third son of a Marabout of the Arab tribe of Hashem, who had risen to influence through his rank coupled with a great sanctity of demeanor. The early days of Abd-el-kader are lost in obscurity; but by 1826 he had not only acquired the reputation of a scholar, but that of a saint," etc. Defects like those we have enumerated are far from being vital, but we believe that they are the more unhesitatingly to be pointed out in the first parts of an extensive work, the editors and publishers of which, as we see in this case, are well able to make it more and more perfect in its continuation. While eagerly repeating, as he does on the covers of the book, the flattering expressions of purely laudatory newspaper notices, Mr. Zell, we trust, will not allow the scanty remarks of criticism to be thrown away, and in this expectation we wish his enterprise full success.

*Western Windows, and other Poems.* By John James Piatt. (New York: Hurd & Houghton. 1869.)—Mr. Piatt is seen at his best in one of his earliest poems, "The Pioneer's Chimney," which is closely modelled

on Tennyson's shorter idyls, but the subject of which is not only such as to make a touching appeal to universal sentiments, but also is such that the painter is able to give us a distinctively Western picture, one with which his life in the West has made him so familiar that he is able to present it with the force of truth, and thus attain to a higher degree of what seems like originality than he has reached in any other of his pieces. It is only—or almost only—in the movement of his blank verse that, in "The Pioneer's Chimney," he distracts our attention from himself to other poets; as regards other things we are in that piece left pretty much alone with him and his subject—very much to his advantage in respect of our estimation of him, and to our own advantage in respect of the pleasure he gives us as readers. A part of the life of the pioneer of half a century ago is given us well and poetically in these verses:

"He was an elder in the land, and held  
His first proprietary right, it seem'd,  
From Nature's self; for, in an earlier day,  
He came with others, who of old had reach'd  
Their neighbor hands across New England farms,  
Over the mountains to the Western Land—  
A journey long, and slow, and perilous,  
With many hardships, and the homesick look  
Of wife and children backward; chose his farm,  
Built his house, and cleared by hard degrees  
Acres that years ago were meadows broad,  
Or wheat fields rocking in the summer heat."

After a life of labor, the farmer loses his homestead because of the failure in business of one of his sons for whom he had become surety. He is about to be turned out on the world in his old age, when opportunely and naturally his troubles kill the old man, and he dies peacefully as he falls asleep in the sun at the house door, after wearily contemplating the necessity of going further West and beginning life anew:

"Perhaps within his sleep he seem'd again  
Journeying far away for evermore,  
Leaving behind the homes of other men,  
Seeking a newer home for those he lov'd,  
A pioneer again. And so he slept—"

"And still he sleeps; his grave is one of those."

"His wife soon joined his sleep beside him there."

"Their children time has taken and the world."

"The chimney shows enough for memory,  
The graves remain; all other trace is gone,  
Except the apple-trees that linger, loth  
To end their blossoming."

We were thinking more of the general description of the feelings with which the New England family of fifty or sixty years ago took their slow way to the Ohio Valley than of anything else, when we spoke in praise of this poem as a good presentation of pioneer life. Considered as a whole, "The Pioneer's Chimney" describes, sentimentally, but with genuine sentiment, a not necessary episode in the pioneer life—an incident in the life of one family. It would be hard for Mr. Piatt to be anything but sentimental; and it would be making a mistake to look to him for any very powerful handling of the subject which his title suggests. This we say not because he makes any claim in this or other instances, of being more than sentimental, but because it is as well to say here as in another place that graceful sentiment is the field in which he works with the highest success—we were going to say it is the only field in which he works with any success. With what good result he works in this field the reader may judge from the passages quoted above. They seem to us to answer the author's intention; to be faithfully expressive, or at any rate very suggestive, of the pensive feeling which possesses one when in some lonely and silent place, which the sunny day and the near neighborhood of busy haunts cause to seem more desolate still, one comes upon the humble ruins of what once was a human dwelling-place. The tall grass has overgrown the shallow cellar; the dismantled chimney crumbles away in the midst; the tansy covers the ruined fire-place with its yellow blossoms, and near the melancholy hollow the apple-trees of the little orchard, neglected and diseased, blossom ineffectually.

For the rest, it may be said of Mr. Piatt's poetry that it is always refined and full of small graces, and that it is never strong; that if it is nearly sure to be pretty, it is just as sure never to be beautiful. It is the sort of poetry that makes it very evident that its author gets great delight from the poets; and that makes one wish he would content himself with

getting delight, and not himself endeavor to give it by poetical compositions of his own. There are hundreds, thousands, perhaps, of writers in verse of whom this may be said, and Mr. Piatt is one of the best of them; but it is, after all, as true when said of him as when said of any of the poor ones. Say that a given poetical-minded man, with the accomplishment of verse making, is much pleased with Emerson; is that a reason which ought to seem good to him, or which can seem good to any one else—except himself perhaps, and those whom he should disregard—for producing verses like these?

"Nature gives with freest hands  
Richest gifts to poorest lands;  
When the lord has sown his last,  
And his fields to desert pass'd,  
She begins to claim her own,  
And—instead of harvests flown  
Sunburnt sheaves and golden ears—  
Sends her hardier pioneers  
Barbarous brambles, outlaw'd seeds,  
The first families of weeds," etc., etc.

All of the "Blackberry Farm" is but the most servile echoing; and though there may be cases when that may pardonably be done, yet to do it voluntarily is to become a witness against one's self and to secure certain condemnation. So, too, of the diluted Longfellowism which makes up a good part of this volume. There are some flowers which outside of their own, original, carefully tended garden very easily become the merest weeds, and Mr. Longfellow's poetic blossoms are very decidedly of that sort. Smooth and elegant as Mr. Piatt is, we never as we read him credit him with more than a part of his work, and this would constitute a fatal objection to much solidier and more valuable things than any he has hitherto produced. The charge of plagiarism which we were going to bring against "Western Windows," in virtue of certain passages on pages 113, 115, 132, 165, 142, and other pages, it is as well not to bring; for to say nothing of chance coincidences, an essentially imitative writer must more or less unconsciously take from others; his taking of special lines and forms is caused by the same infirmity which necessitates his taking his colors from others; usually plagiarism need not be alleged when general imitativeness has been asserted.

*A Summer Vacation in the Parks and Mountains of Colorado.* (By Samuel Bowles. Springfield, Mass. 1869.)—Here is a little book descriptive of a short tour in the Switzerland of America. It is one of the first half dozen of very many works destined to be written on a charmingly picturesque region—a region which for American travellers must eclipse by its attractions the Adirondacks, the Alleghanies, and the White Mountains. Colorado possesses all that these well known resorts can offer, with a wealth besides of far higher mountains tipped with snow, and gigantic natural parks, the like of which few travellers have seen elsewhere. Imagine a level stretch of rich country—a plain "green with grass, dark with groves, bright with flowers"—as large as Delaware or even Massachusetts, set up some eight thousand feet above the sea level, surrounded by an irregularly circular wall of mountains, four thousand feet still higher, black with weather-worn granite and white with virgin snow—all bathed in that clearest and purest of atmospheres peculiar to New Mexico and Colorado, and you have the outline features of a Colorado park. Nor is it mere scenic beauty. There are a fertile soil, game in abundance, beautiful streams full of trout, mineral springs, among which you may duplicate the rarest in the world, from the coldness of ice to the temperature of hottest Geyser, from crystal drinking water to liquids of wonderful chemical combination—and all this overlying an incalculable wealth of minerals. Of these wonderful parks there are four; the North, Middle, South, and the St. Louis. Our author spent from two to three weeks in the Middle and South, but did not see the other two. He gives a graphic and pleasantly readable account of what he saw, but the interest of his work for the general reader would have been greatly enhanced by a map. On some points, too, he might have furnished more accurate information. Thus, in speaking of the Colorado Mountains, he says that the wildest estimates are made by the local population of the high peaks; Gray, Lincoln, Pike's, and Long's, which are all, he thinks, "about 14,000 feet high, but none goes higher than 14,500." Now, information could readily have been obtained to the effect that Pike's Peak is 14,135 feet high, that Long's has an elevation of 14,506 feet above the sea level, and Vail's Peak, one of its points, 13,456 feet. There is one remark of Mr. Bowles concerning the parks which we cannot consent to pass without comment. He says, "most of these parks are of course petite." The affectation of calling an under-sized pretty girl

"petite" may pass, though with great difficulty; but "petite" in the use and connection here made is very bad, and we hold it up as a dreadful example. It is to be regretted on Mr. Bowles's account and that of his readers that he did not visit the "Garden of the Gods," of the general features and nature of which he has evidently, from the accounts of others, received a totally incorrect idea. It is an attractive and romantic spot; and Mr. Bowles would, doubtless, have done it ample justice.

*Der dritte Deutsche Protestantentag.* (Eiberfeld: R. L. Friderichs.)

—This is an octavo pamphlet of 120 pages, containing the proceedings of the German Protestant Union which assembled at Bremen last summer. Among the delegates to this "Protestant Diet" were some of the most distinguished scholars of Germany. The celebrated jurist, Dr. Bluntschli, of Heidelberg, and Professor Holtzendorff, of Berlin, were chosen presidents. Dr. Bluntschli presented sixteen "Theses on the relation of the modern state to religion," which he exemplified and defended in a speech of remarkable force and clearness. Then followed a general discussion of the same topics, in which Holtzendorff of Berlin, Baumgarten of Rostock, Schenkel of Heidelberg, Schwarz of Gotha, and many other gentlemen took part. The fundamental idea underlying the theses, and advocated in the speeches, is that of a free church in a free state. Most founders of religions have been at the same time law-givers. The Mosaic injunctions for the worship of one Jehovah were the pillars of the Jewish state; the laws of Menu, Zoroaster, Confucius, and Mohammed are not less civil and political than religious; only Buddha and, in a still greater degree, Jesus abstained from all civil legislation in order that the purity of religion might not be impaired and debased by the admixture of political interest. All attempts to construct a specifically Christian theory or structure of state from St. Augustine to Bossuet, De Maistre and Stahl, have proved signal failures. No religion can hope to become universal that is not capable of harmonizing with every kind of political constitution; this capability is one of the features of Christianity which makes it cosmopolitan. The professed aim of the German Protestant Union is "to renovate the Protestant Church in the spirit of evangelical freedom, and to bring it into accord with the higher culture of the present day;" and one of the great problems now thrust upon it for solution is to regulate the political and ecclesiastical affairs of Germany in this broad and liberal sense. Not inferior in interest to Bluntschli's propositions are the eleven "Theses on the authority of the Bible," which were elucidated and vindicated by Professor Hanne, of Greifswald. These theses, though reverent in tone, are very radical in substance, and do not differ essentially from those which Lessing embodied a century ago in his "Education of the Human Race." The spirit of the whole is well expressed in the eighth and ninth theses, which affirm the "purely human" origin of the Bible and its amenability to the same canons of criticism as other documents of the past; adding, however, that "notwithstanding the many human errors and defects that appear in it, it still remains the most venerable vehicle of divine revelation, and as such may claim the highest authority." Professor Hanne's speech in defence of his theses reviews the whole subject of revelation and inspiration, and shows the various stages of supernaturalism, deism, rationalism, pantheism, etc., through which it has passed. In the subsequent discussion, Rev. Dr. Schweitzer referred to the boldness with which Luther asserted and exercised the right of untrammelled Biblical criticism, and cited several striking examples of it, e. g., where he stigmatizes the Epistle of James as an "epistle of straw," or is willing to "bet his cap" (*sic* Barrett *utten*) that Paul and James contradict each other. Dr. Schenkel then answered with much acuteness the question how the Protestant theologians of the seventeenth century came to regard the Bible as a "sacred literary petrification." "Having renounced the authority of the Pope of Rome, they made themselves a paper Pope, a new infallible authority—the Bible." A second question, how far and in what sense the Bible is an authority, he answered in the spirit of Lessing, whom he characterized as *einen unserer weltlichen Kirchenväter*—one of the lay fathers of the Protestant Church. We have neither space nor desire to discuss the principles enunciated by the "Protestant Diet" of Bremen, but have endeavored merely to give our readers an idea of their general tendency. To those who wish to study the diversified phases of religious thought, and the metamorphoses of ecclesiasticism in Germany, we recommend a careful perusal of this spirited pamphlet.

*Madame de Staël: An Historical novel.* By Amely Bölte. Translated from the German by Theodore Johnson. (New York: G. P. Putnam & Son. 1869.)—This novel, which forms the second volume of Messrs. Putnam and Son's "Popular Library of European Literature," seems to us,



notwithstanding certain merits which it possesses, hardly to deserve a place in a series with so suggestive a title. It is the average novel reader, we suppose, who determines the popularity of any given novel; and it is safe to say that it is not the amount of history which they contain which draws that discriminating person to such historical novels as have been most widely read—to Scott's works or to the very amusing stories of M. Dumas—and certainly the current of popular liking which for a while set so strongly toward the Mühlbach series was not attracted by their stern adherence to historical verities. As to the book at present in question, it is a translation of a tolerably uninteresting German novel into quite inelegant English. Madame de Staël is its heroine, and the reader is carried through the various scenes of her life, introduced to most of the celebrities of her time—to Voltaire and Goethe and Wieland, to Condorcet and Constant and Bonaparte, and in fact given a general sense of having taken an improving but not altogether exhilarating stroll through the biographical dictionaries. Madame Bülte has the desire so common and so natural to the makers of historical novels, to present her heroine in an attractive light and to make the most of such elements of romance as were in her life and character. It has been out of her power, however, to draw a pleasant likeness of so unpleasant an original. She does full justice to Madame de Staël's affection for her father, to her enthusiasm, and to her "gifted mind;" and, obliged to concede her ungainliness and her lack of beauty, never loses an opportunity of mentioning her "radiant black

eyes" and her beautiful hands. Nevertheless, we think that even readers who will get from this novel their only knowledge of its heroine will be likely to agree with the general verdict which finds her to be perhaps the most unpleasantly unwomanly of famous women.

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The Roman Catholic Not "the One Only True Religion"	(Sheldon & Co.)
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The Trustees, in conformity to the Charter of the Company, submit the following Statement of its affairs on the 31st December, 1868:

Premiums received on Marine Risks from 1st January, 1868, to 31st December, 1868, - - - \$6,782,969 89  
Premiums on Policies not marked off 1st January, 1868, - - - - - 2,563,002 80

Total amount of Marine Premiums - - - - - \$9,345,972 12

No Policies have been issued upon Life Risks, nor upon Fire Risks disconnected with Marine Risks.

Premiums marked off from 1st January, 1868, to 31st December, 1868, - - - - - \$6,807,970 89

Losses paid during the same period - - - - - \$3,081,080 49

Returns of Premiums and expenses - - - - - \$1,383,330 61

The Company has the following Assets, viz.:

United States and State of New York Stock, City, Bank, and other Stocks - - - - - \$7,587,435 00

Loans, secured by Stocks and otherwise - - - - - 2,314,100 00

Real Estate and Bonds and Mortgages - - - - - 210,000 00

Interest and sundry Notes and Claims due the Company, estimated at - - - - - 290,530 03

Premium Notes and Bills receivable - - - - - 2,963,267 53

Cash in Bank - - - - - 405,548 83

Total Amount of Assets - - - - - \$13,090,881 39

Six per cent. interest on the outstanding certificates of profits will be paid to the holders thereof, or their legal representatives, on and after Tuesday, the Second of February next.

The outstanding certificates of the issue of 1865 will be redeemed and paid to the holders thereof, or their legal representatives, on and after Tuesday, the Second of February next, from which date all interest thereon will cease. The certificates to be produced at the time of payment and cancelled.

A dividend of Forty Per Cent. is declared on the net earned premiums of the Company, for the year ending 31st December, 1868, for which certificates will be issued on and after Tuesday, the Sixth of April next.

By order of the Board.

J. H. CHAPMAN, Secretary.

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